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ORDINANCES AND STATUTES

FRAMED OR APPROVED

BY THE

OXFORD UNIVERSITY COMMISSIONERS

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IN PURSUANCE OF THE

ACT, 17 AND 18 VICTORIA, CHAPTER 81.

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Oxford

AT THE CLARENDON PRESS

M.DCCC.LXIII.

PREFACE.

THE Commissioners appointed for the purposes of the Oxford University Act of 1854, were not empowered to frame Statutes for the University, except on certain specified subjects, and in case the University failed to make suitable Statutes on them for itself. The Act however directed that Statutes made by the University concerning those subjects should be submitted to the Commissioners for approval; and accordingly the following Statutes were so submitted, and received the assent of the Commissioners in due form.

Tit. IV, Sect. I, § 2 A. De Professore Moralis Philosophiae per Thomam White S.T.P. instituto.

§ 3 A. De Professoribus Geometriae et Astronomiae, per Henricum Savile militem institutis.

§ 4. De Professore Musicae et de Chorago per Doctorem Heather institutis.

Tit. IV, Sect. I,	§ 5 A.	De Professore Naturalis Philosophiae instituto per Gulielmum Sedley militem.
	§ 12.	De Professore Anatomiae Tomlinsiano et Aldrichiano.
	§ 13.	De Professore Praxeos Medicinae per Georgium Aldrich M. D. instituto.
	§ 15.	De Praelectore S. Theologiae, Dominae Margaretae Comitissae Richmondiae, matris Regis Henrici Septimi.
	§ 17.	De Professore Linguae Arabicae per Reverendissimum Gulielmum Laud Archiepiscopum Cantuariensem instituto.
	§ 25 A.	De Professore Linguae Anglo-Saxonicae per Ricardum Rawlinson J. C. D. instituto.
Tit. XVI (XX), Sect. V, § 2.		De Museo Ashmoleano.
	§ 3.	De Custode Musei Ashmoleani.
Tit. XVIII, Sect. II.		De Aulis Privatis.
Tit. XIX, Suppl., III.		De Scholaribus Baronis Craven.

As all these are printed in the Statute Book of the University, it is deemed needless to give them here.

This volume therefore consists of Ordinances and Statutes concerning Colleges and Halls, preceded by the Acts of Parliament which gave the Commissioners their powers. The greater part of them

were framed by the Commissioners themselves; the remainder, having been made by the Colleges which they concern, received the Commissioners' assent.

The Ordinance for St. John's College, which, though framed by the Commissioners, was not accepted by the College before the Commission expired, and was afterwards amended by a Committee of the Privy Council, is placed at the end of the volume as an Appendix.

Oxford, August 10, 1863.

CONTENTS.

	PAGE
Acts of Parliament, appointing and empowering the Commissioners	1
Ordinances concerning University College	25
Ordinances concerning Balliol College	47
Ordinances concerning Merton College	79
Statutes of Exeter College	101
Ordinance concerning Oriel College	129
Ordinances concerning Queen's College	149
Ordinances concerning New College and Winchester College	181
Statutes of Lincoln College	217
Ordinance concerning All Souls College	241
Ordinance concerning Magdalen College	261
Ordinances concerning Brasenose College	285
Statutes of Corpus Christi College	311
Ordinances concerning Christ Church	349
Ordinance concerning Trinity College	367
Ordinance concerning Jesus College	385
Ordinance concerning Wadham College	407
Ordinances concerning Pembroke College	425
Ordinance concerning Worcester College	453
Ordinance concerning St. Mary Hall	473
Ordinance concerning Magdalen Hall	481

APPENDIX :—

Act of Parliament, 23 Vict. c. 23	489
Ordinance concerning St. John's College	493
Index	519

ACTS OF PARLIAMENT

EMPOWERING

THE COMMISSIONERS.

PAGE

1. An Act to make further provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of St. Mary Winchester. Stat. 17 & 18 Vict. c. 81 1

2. An Act to amend the preceding Act. Stat. 19 & 20 Vict. c. 31.. 17

3. An Act to continue the powers of the Commissioners under the first Act, and further to amend it. Stat. 20 & 21 Vict. c. 25... 20

ORDINANCES.

ANNO DECIMO SEPTIMO ET DECIMO OCTAVO

VICTORIÆ REGINÆ.

CAP. LXXXI.—*An Act to make further Provision for the good Government and Extension of the University of* Oxford, *of the Colleges therein, and of the College of* Saint Mary Winchester.

[*7th August* 1854.]

17° & 18° VICTORIÆ, Cap. 81.

WHEREAS it is expedient, for the Advancement of Religion and Learning, to enlarge the Powers of making and altering Statutes and Regulations now possessed by the University of *Oxford* and the Colleges thereof, and to make and enable to be made further Provision for the Government and for the Extension of the said University, and for the Abrogation of Oaths now taken therein, and otherwise for maintaining and improving the Discipline and Studies and the good Government of the said University of *Oxford* and the Colleges thereof: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Appointment of Commissioners.

I. The several Persons herein-after named, (that is to say,) the Right Honourable *Dudley* Earl of *Harrowby*, the Right Honourable *Francis* Earl of *Ellesmere*, the Right Reverend Father in God *Charles Thomas* Lord Bishop of

17° & 18° VICTORIÆ, Cap. 81.

Ripon, the Honourable Sir *John Taylor Coleridge*, One of the Justices of the Court of Queen's Bench, the Very Reverend *George Henry Sacheverel Johnson* the Dean of *Wells*, Sir *John Wither Awdry*, late Chief Justice of the Supreme Court of *Bombay*, and *George Cornewall Lewis* Esquire, shall be Commissioners for the Purposes of this Act, and shall have a Common Seal, and Three of the said Commissioners shall be a Quorum.

Duration of Powers of Commissioners.

II. The Powers hereby conferred on the Commissioners shall be in force until the First Day of *January* One thousand eight hundred and fifty-seven, and it shall be lawful for Her Majesty, if She shall think fit, by and with the Advice of Her Privy Council, to continue the same until the First Day of *January* One thousand eight hundred and fifty-eight, and no longer.

Vacancy in Number of Commissioners.

III. If any Vacancy occurs in the Number of such Commissioners by means of Death, Resignation, or Incapacity to Act, Her Majesty may fill up such Vacancy.

Commissioners empowered to require Production of Documents, &c.

IV. In the Exercise of the Authorities hereby vested in the Commissioners they shall have Power to require from any Officer of the University of *Oxford*, or of any College or Hall therein, the Production of any Documents or Accounts relating to such University, College, or Hall, and any Information relating to the Revenues, Statutes, Usages, or Practice thereof respectively; and no Oath which may have been taken by any such Officer shall be pleadable in bar of any Authorities of the said Commissioners.

Constitution of the University.

Establishment of Hebdomadal Council.

V. Upon the Fourteenth Day of *Michaelmas* Term One thousand eight hundred and fifty-four, all Powers, Privileges, and Functions now possessed or exercised by the Hebdomadal Board of the said University shall cease, and upon the Fifteenth Day of the said *Michaelmas* Term One thousand eight hundred and fifty-four there shall be elected in manner herein-after mentioned a Council, which shall be called the Hebdomadal Council, to which shall be transferred immediately after the Election thereof all Powers, Privileges, and Functions now possessed or exercised by the Hebdomadal Board of the said University.

Composition of Hebdomadal Council.

VI. The Hebdomadal Council shall consist of the Chancellor, the Vice-Chancellor, the Proctors, Six Heads of Col-

leges or Halls, Six Professors of the University, and Six Members of Convocation of not less than Five Years standing, such Heads of Colleges or Halls, Professors, and Members of Convocation to be elected by the Congregation herein-after mentioned of the said University, and the Chancellor, or in his Absence the Vice-Chancellor or his Deputy, being a Member of the Hebdomadal Council, shall be the President of such Hebdomadal Council: Provided always, that nothing herein contained shall be held to prevent the Head of any College or Hall who is a Professor being returned or continuing to sit as One of the Six Professors, or the Head of any College or Hall, or a Professor, being returned or continuing to sit as One of the Six Members of Convocation; and if any Person shall be elected a Member of the Hebdomadal Council in Two or more Classes he shall, when he first takes his Seat in the Council, declare under which Class he desires to sit, and his Seat for the other shall be forthwith vacated.

As to Heads of Colleges and Professors being returned or sitting as Professors, or Members of Convocation.

Persons elected in Two or more Classes to declare under which Class they will sit.

VII. The Hebdomadal Council shall meet for the Despatch of Business on the Fifteenth Day of *Michaelmas* Term One thousand eight hundred and fifty-four.

Date of Meeting.

VIII. Of the Six Persons to be then elected together out of each of the Classes of Heads of Colleges or Halls, Professors, and Members of Convocation, the Three Juniors of each Class in Academical Standing, reckoned from Matriculation, shall vacate their Seats at the Expiration of the Third Year from such Day within the then current Academical Year as shall be named by the Hebdomadal Council in that Behalf; and all the other Persons to be then elected shall vacate their Seats at the Expiration of the Sixth Year from the said Day; and all other Persons elected from Time to Time, except such as shall be so elected upon casual Vacancies, shall vacate their Seats at the Expiration of Six Years; and the Election to supply the Places of the Persons so vacating their Seats shall be made upon the Day on which Seats are vacated.

Periodical vacating of Seats.

IX. All such Persons whatsoever shall be capable of Re-election.

Members may be re-elected.

X. Any casual Vacancy occurring by Death, Resignation, or otherwise among such Persons shall be filled by the Election of a qualified Person, according to the Directions of this

Filling up of casual Vacancies.

17° & 18° VICTORIÆ, Cap. 81.

Act; but the Person so elected shall be subject to the same Rules and Conditions in all respects as the Person to whose Place he succeeds would have been subject to if no such Vacancy had taken place.

Vice-Chancellor to continue a Member.

XI. If the Vice-Chancellor for the Time being shall not be also an elected Member of the said Council, then, on the Expiration of his Term of Office, he shall in virtue of his late Office continue to be a Member thereof until the next triennial Election, or for the Space of One Year if such Election shall take place at an earlier Period.

Professors eligible.

XII. No Professor shall be ineligible for the said Council by reason of anything contained in the Statutes of his Foundation.

Non-residence to create a Vacancy.

XIII. If any of the Members of the Hebdomadal Council other than the Chancellor of the University shall reside for less than Twenty-four Weeks during Term Time in any Year, his Seat shall at or before the Close of such Year be declared by the Vice-Chancellor and shall thereupon become vacant.

Vice-Chancellor to make Register of Congregation; also Regulations respecting Hebdomadal Council.

XIV. The Vice-Chancellor shall, before the Twenty-fifth Day of *September* One thousand eight hundred and fifty-four, and before the same Day in each succeeding Year, make and promulgate a Register of the Persons qualified to the best of his Knowledge to be Members of the Congregation of the University of *Oxford* according to this Act, and shall also make and promulgate all such Regulations as to the said Register, and as to all Matters relating to the voting for, Election, Resignation, and Return of Members of the Hebdomadal Council, as may be necessary for the assembling together of the Congregation and for the Election and assembling together of the said Hebdomadal Council according to this Act, and for keeping the Number of such Council complete, and shall appoint the Time of the Day and Place at which they shall so assemble together; and if the Vice-Chancellor fails to comply with the Provisions of this Section, the Commissioners shall thereupon carry the same into effect, and thereupon make such Regulations in respect of the Matters aforesaid as they may think fit; and no Persons shall be admitted to vote in the Election of Members of the Hebdomadal Council but those included in such Register,

and mentioned or described in the Sixteenth Section and the Schedule therein referred to. 17° & 18° VICTORIÆ, Cap. 81.

Power to Hebdomadal Council to make Rules for Regulation of its own Proceedings.

XV. Subject to the Provisions of this Act, and without Prejudice to the Rights of Congregation and Convocation in the making of Statutes for the University of *Oxford*, the Hebdomadal Council shall have Power to make, from Time to Time, Rules for the Regulation of its own Proceedings, and to revise the Regulations and Register herein-before directed to be made by the Vice-Chancellor.

Composition of Congregation.

XVI. On and after the Fifteenth Day of *Michaelmas* Term One thousand eight hundred and fifty-four, the Congregation of the University of *Oxford* shall be composed of the following Persons only, the said Persons being Members of Convocation:

1. The Chancellor.
2. The High Steward.
3. The Heads of Colleges and Halls.
4. The Canons of *Christ Church*.
5. The Proctors.
6. The Members of the Hebdomadal Council.
7. The Officers named in Schedule (A.) to this Act annexed.
8. The Professors.
9. Assistant or Deputy Professors.
10. The Public Examiners.
11. All Residents.
12. All such Persons as shall be provided to be added by Election or otherwise to the said Congregation by any Statute of the University approved by the Commissioners, or (after the Expiry of the Commission) passed by Licence of the Crown.

Power to Congregation to frame Regulations for its own Proceedings.

The Chancellor, or in his Absence the Vice-Chancellor or his Deputy, shall preside in the said Congregation, and the Congregation so constituted as aforesaid shall have Power to frame Regulations for the Order of its own Proceedings, but subject to any Statute which the University may make in respect thereof.

As to Promulgation of Statutes.

XVII. Every Statute framed by the Hebdomadal Council shall, after due Notice of the Contents thereof, be promulgated in Congregation, and shall also be proposed there for

17° & 18° VICTORIÆ, Cap. 81.

Acceptance or Rejection after an Interval of Seven Days, or such other Interval as the University by Statute may appoint, and if accepted by Congregation shall be, after an Interval of Fourteen Days, or such other Interval as the University by Statute may appoint, submitted to Convocation for final Adoption or Rejection as a Statute of the University.

Proposal of Amendments.

XVIII. Any Member of Congregation may, upon the Promulgation of any such Statute, propose, in Writing, Amendments thereof to the Hebdomadal Council, which the said Council shall consider, and thereupon may adopt, alter, or reject.

If Change made, Statute to be re-promulgated.

XIX. If after the Promulgation of a Statute the said Council shall make any Change in it, it shall thereupon be promulgated afresh in manner aforesaid.

Congregation may speak in English.

XX. The Members of Congregation shall upon the Occasion of the Promulgation of any Statute have the Right to speak thereon in the *English* Tongue, but without the Power of moving any Amendment, and subject to such Regulations as the University may make by Statute for the due Order of Debate.

As to Election of Hebdomadal Council.

XXI. Upon any Occasion of electing Members of the Hebdomadal Council, every Person entitled to vote in such Election shall have the Power of giving Votes in each Class as follows: for One Vacancy, One Vote; for Two or Three Vacancies, Two Votes; for Four Vacancies, Three Votes; for Five or Six Vacancies, Four Votes: Provided always, that no Elector shall give more than One Vote for any One Candidate.

Powers of Convocation retained.

XXII. The Convocation of the University of *Oxford* shall not, save as herein provided, be deprived of any of the Powers by it now lawfully possessed.

University may provide that Votes may be given by Proxy at Election of Chancellor.

XXIII. It shall be lawful for the University to provide by Statute, if it shall think fit, that Votes may be given either personally or by Proxies, being Members of Convocation authorized by Writing under the Hand of the Member of Convocation nominating such Proxy, at any Election of a Chancellor of the University.

Certain Oaths illegal.

XXIV. Every Oath directly or indirectly binding the Juror—

Not to disclose any Matter or Thing relating to his College, although required so to do by lawful Authority;

To resist or not concur in any Change in the Statutes of the University or College;

To do or forbear from doing anything the doing or the not doing of which would tend to any such Concealment, Resistance, or Non-concurrence,

shall from the Time of the passing of this Act be an illegal Oath in the said University and the Colleges thereof, and no such Oath shall hereafter be administered or taken.

Power to Vice-Chancellor to license Members of Convocation to open their Residences for Reception of Students;

XXV. It shall be lawful for any Member of Convocation, of such Standing and Qualifications as may be provided by any Statute hereafter to be made, to obtain a Licence from the Vice-Chancellor to open his Residence, if situate within One Mile and a Half of *Carfax*, for the Reception of Students, who shall be matriculated and admitted to all the Privileges of the University without being of necessity entered as Members of any College or existing Hall; but no such Licence as aforesaid shall be granted by the Vice-Chancellor until such Regulations as are herein-after mentioned have come into operation.

who shall be called Licensed Masters.

XXVI. Every Person to whom such Licence is granted shall be called a Licensed Master, and his Residence so opened as aforesaid shall be called a Private Hall.

Power of University to make Statutes.

XXVII. For the Purpose of carrying into effect the Objects proposed by this Act in relation to Private Halls, the University is hereby specially empowered, at any Time before the First Day of *Michaelmas* Term One thousand eight hundred and fifty-five, by Statute, to be approved as herein-after mentioned, to do the following Things:

To fix the Terms and Conditions of granting Licences to Licensed Masters, and the Qualifications of such Masters:

To make Regulations for the Government of Private Halls, the Instruction and Discipline of the Students therein, their Attendance on Divine Worship, and their Status in the event of the Withdrawal or Suspension of the Licence of any such Private Hall:

To make Provision for punishing Neglect or Breach of Regulation on the Part of a Licensed Master by the Withdrawal or Suspension of his Licence, and on the

17° & 18° VICTORIÆ, Cap. 81.

Part of any Students by such reasonable Penalties or other Punishments as they may think fit:

To make Provision for the Aggregation of all or any Private Halls, with the Consent of the Masters thereof, into One or more Great Halls of the University:

To make Provision for the Appointment of One or more Officers for the due Execution of any Regulation relating to the aforesaid Matters, and, if considered expedient, for the Appointment of any such Officer Head of any such Great Hall for the better Accomplishment of the said Purpose:

To fix the Conditions upon which a Private Hall of the University may become an ordinary or Public Hall thereof.

Colleges may amend Statutes with respect to Eligibility to Headships, &c.

XXVIII. And whereas it is expedient, for the Interests of Religion and Learning, to enable Colleges to alter and amend their Statutes with respect to Eligibility to Headships, Fellowships, and other College Emoluments, and the Tenure thereof, and to ensure the same being conferred according to personal Merits and Fitness, and for that Purpose to modify or abolish any Preference, and to make Ordinances for promoting the main Designs of the Founders and Donors, and in the Case of some of the Colleges for rendering Portions of their Property or Income available to Purposes for the Benefit of the University at large, for the Consolidation, Division, or Conversion of Emoluments, including therein the Conversion of Fellowships attached to Schools into Scholarships or Exhibitions so attached, and of Fellowships otherwise limited into Scholarships or Exhibitions, either subject or not to any similar or modified Limitation, and generally to make further Provision for maintaining and improving the Discipline, Studies, and good Government of the said Colleges, and for amending, with the Consent of the Visitor, the Statutes thereof from Time to Time: Be it enacted, That it shall be lawful for every College, at any Time before the First Day of *Michaelmas* Term One thousand eight hundred and fifty-five, without Prejudice to any existing Interest of any Member of such College, and notwithstanding anything contained in the Statutes, Charters, Deeds of Composition, or other Instruments

of Foundation or Endowment of any College, to make Regulations and Ordinances for the Purpose of effecting or advancing any of the aforesaid Objects and Purposes: Provided always, that all such Regulations and Ordinances shall be laid before the Commissioners, who shall have Power, by Writing under their Common Seal, to approve of or reject the same, and may from Time to Time remit the same for further Consideration or Revision, with Amendments or Alterations therein.

When Colleges omit to make Statute, Commissioners may frame Ordinances.

XXIX. Provided always, That if the Powers herein-before granted to Colleges shall in the Case of any College not be exercised, and no Ordinance or Regulation for effecting the Objects of such Powers shall be submitted by such College to the Commissioners, and approved of by them, before the First Day of *Michaelmas* Term One thousand eight hundred and fifty-five, it shall be lawful for the Commissioners to frame such Ordinances and Regulations as shall appear to them to be necessary or expedient for the Purpose of effecting or promoting the Objects which the College is herein-before empowered to effect or promote; and such Ordinances and Regulations, if sanctioned and confirmed as herein-after required, shall take effect as Statutes of such College, notwithstanding anything contained in the Statutes, Charters, Deeds of Composition, or other Instruments of Foundation or Endowment thereof: Provided always, that such Ordinances and Regulations, when properly settled by the Commissioners, shall be laid before the College to which the same relate, and the Visitor thereof, Two Calendar Months before the same are submitted to Her Majesty in Council, as herein-after directed; and if within the said Period of Two Calendar Months Two Thirds of the Governing Body of the said College shall by Writing under their Hand and Seal declare that in their Opinion such Ordinances and Regulations will be prejudicial to the said College as a Place of Learning and Education, then the same shall not take effect, but it shall be lawful for the Commissioners to frame and submit other Rules and Regulations for the like Purpose to the said College, and so on as often as Occasion shall require.

Power of University to alter Trusts

XXX. And further, if in the Case of any Gift or Endowment held by the University which has taken effect for more

17° & 18° VICTORIÆ, Cap. 81.

than Fifty Years, it shall appear to the said University that the Interests of Religion and Learning, and the main Design of the Donor, may be better advanced by an Alteration of the Trusts or Directions affecting such Gift or Endowment, it shall be lawful for the University to alter or modify such Trusts or Directions, and to frame a new Statute for the Application of such Gift or Endowment in such Manner as may better advance the Purposes aforesaid; but no such Statute shall take effect until the same shall have been assented to by the Commissioners under their Seal, and shall also have received the Approbation of Her Majesty, to be signified by an Order in Council.

Right of Preference belonging to Schools not to be abolished if Governors of Schools or Charity Commissioners dissent therefrom.

XXXI. If in the Execution of the Powers of this Act it shall be proposed by any College, or by the Commissioners, to make any Regulation or Ordinance for the Abolition of any Right of Preference in Elections to any Emolument within any College now lawfully belonging to and enjoyed by any School or other Place of Education beyond the Precincts of the University, individually named or designated in any Statute, Deed of Composition, or other Instrument of Foundation or Endowment, Notice thereof shall be given in Writing to the Governing Body of every such School or Place of Education, and also to the Commissioners appointed under "The Charitable Trusts Act, 1853," at least Two Calendar Months before any final Resolution for that Purpose shall be adopted by such College or by the Commissioners; and in Cases where it is proposed by such Regulation or Ordinance to abolish any Right of Preference in Elections to any Emolument other than a Fellowship or Studentship, no such Regulation or Ordinance shall be made if within Two Calendar Months after receiving such Notice Two Thirds of the said Governing Body, or if there shall be several Schools interested in such Right of Preference then Two Thirds of the aggregate Body composed of the several Governing Bodies of such Schools, or the said Commissioners appointed under "The Charitable Trusts Act, 1853," shall by Writing under their Hands and Seals declare their Opinion that such Regulation or Ordinance would be prejudicial to such School or Place of Education as a Place of Learning and Education: Provided always, nevertheless, that every such Right of Pre-

ference, when retained, shall be subject to all such Regulations and Ordinances as may be made by any College, or by the Commissioners, under the Powers given by this Act, for the Purpose of making such Emolument more conducive to the mutual Benefit of such College and such School or Place of Education as aforesaid, or of throwing the same open to general or extended Competition upon any Vacancy for which no Candidate or Claimant of sufficient Merit may offer himself from any School or Place of Education so entitled as aforesaid: Provided also, that where any such Governing Body as aforesaid shall be a Corporate Body the Governing Body of the Corporation shall be deemed the Governing Body of the School; and when any Right of Preference shall belong to any School contingently only upon the Failure of fit Objects from some other School or Schools entitled to and in the Enjoyment of a prior Right of Preference, then and in such Case the Power of Dissent hereby given shall only belong to the Governing Body or Governing Bodies of the School or Schools entitled to and in the Enjoyment of the First Right of Preference; and if in any College where Fellowships or Studentships are tenable by Undergraduates either the College or the Commissioners acting in respect thereof shall divide its Fellowships or Studentships into Elder and Younger, the Elder only shall be taken to be Fellowships or Studentships within the Meaning of this Section.

Notice served on the Principal of any School to be sufficient Notice to the Governing Body.

XXXII. Provided always, That where any such Notice in Writing as aforesaid is required to be given to the Governing Body of any School or Place of Education, such Notice, if served on the Master or Principal of any such School or Place of Education, shall be deemed and taken to be a sufficient Notice to the Governing Body of the same School or Place of Education, for all the Purposes of this Act.

Ordinances and Regulations objected to by Governing Body of College, &c. to be laid before Parliament.

XXXIII. Provided always, That all Ordinances and Regulations framed by the Commissioners, and objected to by Two Thirds of the Governing Body or Bodies of the College, School or Schools, to which the same respectively relate, shall, in all Cases where new Ordinances and Regulations shall not have been substituted under the Provisions of this Act for such as shall have been so objected to, be embodied in a Report to be transmitted forthwith to One of Her Majesty's

17° & 18° VICTORIÆ, Cap. 81.

Principal Secretaries of State, and laid before the Two Houses of Parliament.

College of St. Mary of Winchester to be subject to this Act.

XXXIV. The College of *Saint Mary* of *Winchester* near *Winchester* shall for the Purposes of this Act be subject to the Provisions of this Act with respect to Colleges, and shall have the same or the like Powers as are hereby given to the Colleges of the University, and be subject to the Authorities hereby conferred on the Commissioners for the Alteration and Amendment of Statutes, in like Manner as is hereby provided with respect to the Colleges of the University, but without Prejudice to the Powers and Authorities, if any, of the Commissioners under "The Charitable Trusts Act, 1853."

Ordinances, Regulations, and Statutes to be laid before the Queen in Council.

XXXV. All Regulations and Ordinances which, under the Power herein-before contained, shall be made by any College, and be approved of by the Commissioners, and all Ordinances and Regulations which shall be framed by the Commissioners, and shall not be objected to as aforesaid by Two Thirds of the Governing Body of the College to which the same relate, and every Statute passed by the University under the Power lastly herein-before contained, shall, after the Expiration of Two Calendar Months from the Time when the same respectively shall have been approved of by the Commissioners, or submitted to the College, or passed by the University, be laid before her Majesty in Council, and forthwith published in the *London Gazette;* and it shall be lawful for every College, and for the Visitor thereof, and for the Trustees, Governors, and Patron of any University or College Emolument, and for any other Person directly affected by such Regulations, Ordinances, or Statute, within One Month after the Publication as aforesaid in the *London Gazette*, to petition Her Majesty in Council against the Approbation thereof or of any Part thereof; and every such Petition shall be referred by Her Majesty by Order in Council for the Consideration and Advice of Five Members of Her Privy Council, of whom Two, not including the Lord President, shall be Members of the Judicial Committee, who shall be named in such Order, and such Five Members may, if they think fit, admit any Petitioner or Petitioners to be heard by Counsel in support of his or their Petition.

Power to Colleges, &c. to petition Her Majesty against Approbation thereof, &c.

Regulations, Ordinances, and Statutes to be laid before Parliament.

XXXVI. All Regulations, Ordinances, and Statutes which shall be so published in the *London Gazette* as aforesaid shall be at the same Time laid before both Houses of Parliament, if Parliament be sitting, or if not, then within Three Weeks after the Commencement of the next ensuing Session of Parliament; and, unless an Address is within Forty Days presented by One or other of the said Houses, praying Her Majesty to withhold her Consent from such Regulations, Ordinances, or Statute, or any Parts thereof, or unless the same shall be rejected on such Petition as aforesaid, it shall be lawful for Her Majesty, by Order in Council, to declare Her Approbation of such Regulations, Ordinances, and Statute respectively, or any Parts thereof to which such Address shall not relate, and the same shall thereupon become Statutes of the University of *Oxford*, or of the College therein to which the same respectively relate; and if any such Regulations or Ordinances or Statute, or any Part thereof, shall not be so approved by Her Majesty, then the Commissioners may thereupon proceed to frame other Regulations or Ordinances or Statute in the Matter, and so on from Time to Time as often as Occasion shall require.

Powers granted to Colleges granted to University as to Halls and Private Halls.

If University omit to frame Statutes, &c., it shall be incumbent on Commissioners to do so.

XXXVII. The Powers herein-before granted to Colleges with respect to themselves severally are hereby granted to the University in relation to Halls and Private Halls, so far as they may be applicable thereto, subject to the like Confirmation by the Commissioners, but such Powers shall cease on the First Day of *Michaelmas* Term One thousand eight hundred and fifty-five; and if the said University shall not by that Day have framed and submitted, for the Approval of the Commissioners, such Statutes or Ordinances as may, in the Opinion of the Commissioners, be sufficient for carrying into effect the Objects of this Act with respect to existing Halls and the Establishment and Regulation of Private Halls, it shall be incumbent on the Commissioners, as soon as possible after such Day as aforesaid, to proceed themselves to frame Statutes in respect of any Matters or Things so left undone or imperfect by the said University, and such Statutes shall be laid before Her Majesty in Council, and shall be subject to all the Provisions herein-before contained touching such other Regulations, Ordinances, and Statutes as aforesaid.

17° & 18° VICTORIÆ, Cap. 81.

Commissioners to have regard to reasonable Designs of College, &c.

XXXVIII. In giving effect to their Powers or any of them with respect to Colleges and Halls, the Commissioners shall have regard, among other things, to making due Provision, firstly, for the Wants and Improvement of the College or Hall, and the Advancement of Religion and Learning among its own Members, and, secondly, for Aid towards the Establishment of the Professoriate of the said University on an enlarged Basis in the several main Branches of Science and Letters; and with adequate Duties and Emoluments, by appropriating Portions of the divisible Revenues of any College for that Purpose, in Cases where the Founder of the College hath directed Lectures to be delivered for the Benefit of the University, or where it shall appear to the Commissioners that the College is well able to make such Provision.

Power to repeal Statutes.

XXXIX. Every Statute made by the University of *Oxford*, or by any of the Colleges thereof, by virtue of the Powers of this Act, shall be subject to Repeal or Alteration in the same Manner and to the same Extent, but not otherwise, in and to which other Statutes of the said University or College, as the Case may be, are or may be subject to Repeal or Alteration by the Authorities thereof.

Statutes by Commissioners subject to Repeal, &c.

XL. Every Statute made by the Commissioners in pursuance of the Provisions of this Act, and likewise all Provisions herein-before contained, respecting the Election, Constitution, Powers, and Proceedings of the Hebdomadal Council, and respecting the Constitution, Powers, and Proceedings of the Congregation, shall be subject to Repeal and Alteration by the University or College, as the Case may be, with the Approval of Her Majesty in Council.

Christ Church deemed a College.

XLI. For the Purposes of this Act, the Cathedral or House of *Christ Church* in *Oxford* shall be considered to be to all Intents and Purposes a College of the University.

Persons becoming Members not to possess vested Interests.

XLII. No Person who, after the passing of this Act, shall become a Member of any College, or shall be elected or become eligible to any University or Collegiate Emolument, shall be deemed or taken to have acquired or to possess an existing Interest within the Meaning of this Act.

Not necessary to make Declaration or take an Oath on matriculating;

XLIII. From and after the First Day of *Michaelmas* Term One thousand eight hundred and fifty-four, it shall not be necessary for any Person, upon matriculating in the

University of *Oxford*, to make or subscribe any Declaration, or to take any Oath, any Law or Statute to the contrary notwithstanding.

nor on taking a Degree.

XLIV. From and after the First Day of *Michaelmas* Term One thousand eight hundred and fifty-four, it shall not be necessary for any Person, upon taking the Degree of Bachelor in Arts, Law, Medicine, or Music in the University of *Oxford*, to make or subscribe any Declaration, or take any Oath, any Law or Statute to the contrary notwithstanding; but such Degree shall not as such constitute any Qualification for the holding of any Office which has been heretofore always held by a Member of the United Church of *England* and *Ireland*, and for which such Degree in the said University has heretofore constituted One of the Qualifications, unless the Person obtaining such Degree shall have taken such Oaths and subscribed such Declarations as are now by Law required to be made and taken on obtaining such Degree, either at the Time of taking such Degree or subsequently.

University Court to be subject to the Rules of the Common Law.

XLV. From and after the passing of this Act, the Court of the Vice-Chancellor of *Oxford* shall in all Matters of Law be governed by the Common and Statute Law of the Realm, and not by the Rules of the Civil Law; and it shall be lawful for any Three of the Judges of the Superior Courts to make such Rules as they may deem fit for the Regulation of the Procedure of the said Court; and the said Court shall proceed in all Matters subject to the said Rules in conformity with the Mode of Procedure established in the County Courts.

Stamp Duties abolished.

XLVI. The Stamp Duties now payable on Matriculations and Degrees shall be abolished so soon as Provision shall have been made by the University, to the Satisfaction of the Lords Commissioners of Her Majesty's Treasury, in lieu of the Monies heretofore voted annually by Parliament.

Powers of University to continue in force, except as altered by this Act.

XLVII. Except in so far as they are expressly altered or taken away by the Provisions of this Act, the Powers and Privileges of the University and its Officers, and of the Colleges and their Officers, shall continue in full Force.

Interpretation of Terms.

XLVIII. In the Construction of this Act, the Expression "University or College Emolument" shall include all Fellowships, Studentships, Scholarships, Exhibitions, Demy-

17° & 18° VICTORIÆ, Cap. 81.

ships, Postmasterships, Taberdarships, Bible Clerkships, Servitorships, and every other such Place of Emolument payable out of the Revenues of the University, or of any College, or to be held and enjoyed by the Members of any College or Hall as such within the University; the Word "Scholarship" shall include the Bursaries appropriated to any College in *Scotland;* and the Word "School" shall include Colleges in *Scotland;* and the Words "Professor" and "Professorship" shall be taken to include respectively Public Readers, Prælectors, and their several Offices; and the Words "Public Examiner" shall be taken to include Moderators and Masters of the Schools; and the Word "Hall" shall be taken to mean all Halls other than affiliated Halls or such Private Halls as are authorized by this Act; and the Governing Body of any College shall mean and include the Head and all actual Fellows thereof, being Graduates, but in the Case of *Christ Church* shall mean the Dean and Canons thereof; and the Word "Residents" shall mean and include all Members of Convocation who shall have resided Twenty Weeks within One Mile and a Half of *Carfax* during the Year that shall expire on the First Day of *September* next preceding the making and Promulgation of the Register as directed by the Fourteenth Section of this Act.

SCHEDULE A.

Deputy Steward.
Public Orator.
Keeper of the Archives.
Assessor of the Vice-Chancellor's Court.
Registrar of the University.
Counsel to the University.
Bodley's Librarian.
Radcliffe Librarian.
Radcliffe Observer.

Librarians and Sub-Librarians of University Libraries.	If authorized for the Purposes of this Schedule by Statute of the University.
Keepers of University Museums and Repositories of Art or Science.	

ANNO DECIMO NONO ET VICESIMO

VICTORIÆ REGINÆ.

CAP. XXXI.—*An Act to amend the Act of the Seventeenth and Eighteenth Years of Her Majesty, concerning the University of* Oxford *and the College of* Saint Mary Winchester. [23*d June* 1856.]

WHEREAS an Act was passed in the Session of Parliament holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter Eighty-one, "to make further Provision for the good Government and Extension of the University of *Oxford*, of the Colleges therein, and of the College of *St. Mary Winchester*," and it is expedient to extend the Provisions of the said Act as herein-after mentioned: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 17 & 18 Vict. c. 81.

I. The several Powers given by Sections Twenty-eight, Twenty-nine, and Thirty-seven of the said Act may be exercised notwithstanding anything contained in any Act of Parliament, Decree, or Order constituting either wholly or in part an Instrument of Foundation or Endowment, or confirming or varying any Foundation or Endowment, or otherwise regulating any College or Hall, in respect of which any such Power may be exercised, in like Manner as if such Acts of Parliament, Decrees, and Orders had been expressly mentioned in the said Sections Twenty-eight and Twenty-nine. The Powers of the Act to be exercised notwithstanding Foundations or Endowments by Act of Parliament, &c.

Statutes approved under the Act may be amended during the Continuance of the Commission.

II. It shall be lawful for any College of or in relation to which any Regulation, Ordinance, or Statute shall have been approved by Her Majesty in Council under Section Thirty-six of the said Act, from Time to Time, with the Approval of the Commissioners, and during the Continuance of their Powers under the said Act, to amend or alter such Regulation, Ordinance, or Statute, subject to the same Conditions and Provisions as to the Approbation of Her Majesty in Council and all other Conditions and Provisions as are imposed by the Act in relation to the making of the original Regulation, Ordinance, or Statute.

Canonries of Christ Church to be deemed College Emoluments.

III. The Canonries of *Christ Church* in *Oxford* which are not annexed by Law or Custom to any Professorship or Archdeaconry shall be deemed College Emoluments within the Meaning and for the Purposes of the said Act.

Power to sever Benefices from Headships of Colleges, &c.

IV. Where any Benefice with Cure of Souls is annexed to the Headship of a College or Hall, or where any Advowson is held in trust for the Head of such College or Hall, it shall be lawful for the College, or, where the Annexation or Trust affects the Headship of a Hall, for the University (at any Time during the Continuance of the Commission), without Prejudice to any existing Interest of any Member of such College or Hall, and notwithstanding anything contained in any Act of Parliament or in any Deed or Instrument whatever, to make a Statute or Statutes for putting an end to such Annexation or Trust and for selling the Advowson of the Benefice so annexed or the Advowson so held in trust, or, if it be thought fit in the Case of a College, for adding such Advowson to those in the Patronage of the College, and for making, out of the College Revenues, or in the Case of a Hall out of the Proceeds of the Sale or the Investment of such Proceeds, adequate Compensation to the Head for the consequent Diminution of his Income: Provided always, that all such Statutes shall be laid before the Commissioners, who shall have Power by Writing, under their Common Seal, to approve of or reject the same, or to remit the same from Time to Time for further Consideration or Revision, with Amendments or Alterations therein.

Elections to Emoluments may be su-

V. Where, upon an Application of the University as to any University Emolument, or upon the Application of any

College as to any Emolument within such College, it may appear to the Commissioners that it would be advisable, for the Purposes of the said Act, to suspend for a limited Period the Election to such Emolument (not being the Headship of a College or Hall), it shall be lawful for the Commissioners, by Instrument under their Common Seal, to authorize the University or such College, as the Case may be, to suspend such Election accordingly, for such a Time as may appear to the Commissioners sufficient for the Purposes aforesaid.

Elections pended on the Application of the University or College.

VI. All Regulations, Ordinances, and Statutes framed by the Commissioners under Section Thirty-six of the said Act shall be subject to all the Conditions and Provisions contained in the said Act in relation to Regulations, Ordinances, or Statutes framed by the said Commissioners under the other Powers thereby conferred on them.

Regulations, &c. under Section 36. of the said Act to be subject to Provisions as to Regulations, &c. framed by Commissioners.

VII. The Lands Clauses Consolidation Act, 1845, except the Parts and Enactments of that Act with respect to the Purchase and taking of Lands otherwise than by Agreement, and with respect to the Recovery of Forfeitures, Penalties, and Costs, and with respect to Lands required by the Promoters of the Undertaking, but which shall not be wanted for the Purposes thereof, shall be incorporated with and form Part of this Act, and of the *Oxford* University Act, 1854, so far as relates to Land within One Mile and a Half of *Carfax* in the City of *Oxford* required for the Erection of any Buildings for the Extension of the Buildings of the said University, or of any College therein, and as if the Corporate Name of the University or College, as the Case may be, had been inserted therein instead of the Expression "the Promoters of the Undertaking."

Certain Parts of 8 & 9 Vict. c. 18. incorporated herewith.

ANNO VICESIMO ET VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. XXV.—*An Act to continue the Powers of the Commissioners under an Act of the Seventeenth and Eighteenth Years of Her Majesty concerning the University of* Oxford *and the College of* St. Mary Winchester, *and further to amend the said Act.*

[10*th August* 1857.]

WHEREAS an Act was passed in the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter Eighty-one, to make further Provision for the good Government and Extension of the University of *Oxford*, of the Colleges therein, and of the College of *St. Mary Winchester*, and the said Act has been amended by an Act of the Session holden in the Nineteenth and Twentieth Years of Her Majesty, Chapter Thirty-one: And whereas by the first-recited Act it was provided that the Powers thereby conferred on the Commissioners for the Purposes of that Act should be in force until the First Day of *January* One thousand eight hundred and fifty-seven, and that it should be lawful for Her Majesty, if She should think fit, by and with the Advice of Her Privy Council, to continue the same until the First Day of *January* One thousand eight hundred and fifty-eight, and no longer: And whereas Her Majesty, by and with the Advice of Her Privy Council, has continued the said Powers until the First Day of *January* One thousand eight hundred and fifty-eight: And whereas it is expedient that the said

17 & 18 Vict. c. 81.

19 & 20 Vict. c. 31.

Powers should be further continued, and that the said first-recited Act should be amended as herein-after mentioned: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Powers of the Commissioners continued until 1st July 1858.

I. The Powers conferred on the Commissioners by the first-recited Act, as extended by the secondly-recited Act and this Act, shall continue until the First Day of *July* One thousand eight hundred and fifty-eight; and all Powers, which under the said recited Acts respectively might have been exercised by Colleges or other Bodies or Persons during the Continuance of the Powers of the Commissioners under the first-recited Act, shall continue and may be exercised until the said First Day of *July* One thousand eight hundred and fifty-eight.

The Foundation of Mr. John Michel may be consolidated with the Old Foundation of Queen's College.

II. It shall be lawful for the Commissioners under the said Act of the Seventeenth and Eighteenth Years of Her Majesty to frame such Ordinance or Ordinances as may appear to them expedient for consolidating the Foundation of *John Michel* Esquire in the *Queen's College* in the said University with the Foundation of *Robert de Eglesfield*, commonly called the Old Foundation, in the said College, and for vesting the Endowments, Lands, Advowsons, and Real and Personal Property vested in the Visitors of the said Foundation of *John Michel*, or otherwise held for the Benefit of such Foundation, in the Provost and Scholars of the said *Queen's College*, and for placing the Foundation so consolidated under the Visitorship of the Lord Archbishop of *York*, the present Visitor of the Old Foundation of the said *Queen's College*, and for providing for the Discharge of the Duties of the Visitors of the Foundation of *John Michel* as towards the existing Fellows, Scholars, and Exhibitioners of that Foundation, and for establishing in respect of such consolidated Foundation, and the Emoluments, Property, and Income thereof, any such Regulations as under the said Act might be established in respect of a College of One Foundation and the Property and Income and College Emoluments thereof; such Ordinance or Ordinances, if sanctioned and confirmed as required in respect of the Ordinances framed by

the Commissioners under Sections Twenty-eight and Twenty-nine of the same Act, shall take effect for the Purposes aforesaid in the same Manner as if it had been within the Powers vested in the Commissioners under the said Sections, and all the Provisions of the said Act and the Act amending the same applicable to Ordinances framed by the Commissioners under the said Act shall be applicable to such Ordinance or Ordinances as may be framed under the Powers of this Act.

Power to Colleges with Consent of Visitor to apply Property held for Purchase of Advowsons for Benefit of Colleges, &c.

III. It shall be lawful for any College within the University from Time to Time, with Consent of the Visitor, to appropriate and apply any Property, or the Income of any Property, held by or in Trust for the College, for the Purpose that the same, or the Income thereof, may be applied in purchasing Advowsons for the Benefit of the College, to the Augmentation of the Endowment of Livings in the Patronage of the College to such Amount as may be by Law allowed, or towards the building of fit and suitable Parsonage Houses on any Livings in the Patronage of the College, or to the Foundation or Augmentation of Scholarships or Exhibitions, or to other Purposes for the Advancement of Religion, Learning, and Education within the College; and in exercise of this Power the College may annex to any Living in the Patronage of the College (by way of Augmentation of the Endowment of such Living) any Tithe Rentcharge which may be vested in the College, or any Portion thereof, in consideration of the Appropriation to other Purposes of the College of a Part of the Trust Property or Income, not exceeding the Amount which the Visitor shall adjudge to be an adequate Consideration for the Tithe Rentcharge so to be annexed; provided that this Power shall not extend to Property or Income applicable to the Purchase of Advowsons for the Benefit of Scholars or Exhibitioners on any particular Foundation within a College.

Certain Provisions of 8 & 9 Vict. c. 18, incorporated with this Act and 17 & 18 Vict. c. 81, so far as relates to certain Lands.

IV. The Lands Clauses Consolidation Act, 1845, except the Parts and Enactments of that Act with respect to the Purchase and taking of Lands otherwise than by Agreement, and with respect to the Recovery of Forfeitures, Penalties, and Costs, and with respect to Lands required by the Promoters of the Undertaking, but which shall not be wanted for the Purposes thereof, shall be incorporated with and form

Part of this Act and of the "*Oxford* University Act, 1854," so far as relates to Land within One Mile and a Half of *Carfax* in the City of *Oxford* required for the Erection of any Buildings for the Extension of the Buildings of the said University or of any College or Hall therein, or for Purposes of Utility or Recreation relating to the said University or to any College or Hall therein, and as if the Corporate Name of the University or College, as the Case may be, had been inserted therein instead of the Expression "the Promoters of the Undertaking."

ORDINANCES

CONCERNING

UNIVERSITY COLLEGE.

PAGE

1. Ordinance respecting the Fellowships 27

2. Ordinance authorising the Suspension of one Fellowship for a limited time 28

3. General Ordinance 29

4. Ordinance respecting Dr. Radcliffe's Travelling Fellowships, and the Freeston and Gunsley Scholarships 43

UNIVERSITY COLLEGE.

Ordinance with respect to the Fellowships, framed by the Commissioners.

WE the Commissioners appointed for the purposes of an Act passed in the 17th and 18th years of the reign of Her Majesty Queen Victoria, intituled, "An Act to make further Provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester," do, in execution of the powers given us by the said Act, hereby ordain, without prejudice to any existing interest saved by the said Act, that no preference shall hereafter be given to any person in elections to any Fellowship now existing within the College of the Great Hall of the University, commonly called University College, in Oxford, in respect of such person's place of birth, or of his being, or having been, a Scholar on any foundation in the said College. And we do hereby further ordain, that no person shall be ineligible by reason of the place of his birth to any Fellowship now existing in the said College.

Given under our common seal, this 14th day of December 1855.

L. S.

Ordinance for authorising the Suspension of one Fellowship for a limited time, framed by the Commissioners.

WE, the Commissioners appointed for the purposes of an Act passed in the 17th and 18th years of the reign of Her Majesty Queen Victoria, intituled, "An Act to make "further Provision for the good Government and Extension "of the University of Oxford, of the Colleges therein, and of "the College of St. Mary Winchester," do, in execution of the powers given to us by the said Act, hereby ordain as follows:

It shall be lawful for the Master and Fellows of the College of the Great Hall of the University, commonly called University College, in Oxford, if they shall think it expedient so to do, but not otherwise, to suspend the election of one Fellowship within the said College (which shall be either the first or the second that shall become vacant after the approval of this Ordinance by Her Majesty in Council), for any period not exceeding ten years from the day on which such Fellowship shall have become actually vacant; and the emoluments of such Fellowship during such suspension shall be appropriated and applied as herein-after directed.

The stipend and all other emoluments which the Fellow on the foundation of such Fellowship would have been entitled to receive, had the same been filled up, shall, during the period of suspension, be set apart and carried to a separate account in the College books, and the funds accruing therefrom shall be wholly applied in or towards the foundation of new Scholarships (or Exhibitions, either limited or not limited), within the College, or in or towards augmenting the emoluments of any existing Scholarships or Exhibitions, or to all or any, or either of those purposes, but in such manner in all respects, and subject to such regulations and

provisions, as to the accumulation and investment of such funds, or any part thereof, and the number and constitution of the said Scholarships or Exhibitions, and otherwise, as we the said Commissioners, or other the Commissioners exercising the powers of the said Act for the time being, shall, by any ordinance or ordinances to be made in execution of those powers, direct, and in default of, and subject to, any such ordinance as the Master and Fellows of the College shall from time to time determine.

The expediency of exercising or not exercising the power of suspension hereby given, the choice of the Fellowship to be suspended, the period of suspension, and the manner in which the stipend and other emoluments of such suspended Fellowship are to be applied, and all other matters (if any) which under this Ordinance are left to the discretion of the Master and Fellows of the College, shall, subject to the foregoing provisions, be determined by the Master and Fellows present at any College meeting or meetings, held in manner prescribed by the statutes and regulations of the College for the time being, as if such matters had formed part of the ordinary business of such meeting or meetings.

Given under our common seal this 9th day of June 1856.

L. S.

General Ordinance, framed by the Commissioners.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to "make further Provision for the good Government and Ex- "tension of the University of Oxford, of the Colleges therein,

"and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows, in relation to the College of the Great Hall of the University, otherwise called University College.

1. In elections to the office of Master of the said College, no person shall be entitled to preference by reason of his being or having been a Fellow or Scholar of the College, or educated therein. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being), who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education.

2. The Master shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term; and in case of his being detained from residence, by sickness or any other urgent cause, during any portion of the period hereby prescribed, he shall forthwith notify the same, and the cause thereof, to the Lord Chancellor. These regulations shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the Master.

3. The Master and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Mastership, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Master's emoluments, whether commuted or uncommuted, as they shall think proper: Provided, that no exercise of this power shall affect the person then being Master without his consent: Provided also, that the Lord Chancellor, upon the petition of the Master or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

4. If at any time it shall appear that the Master has become permanently incapable of performing the duties of his office, the Vice-Gerent shall, upon the request of any three or more Fellows, convene a meeting of the Fellows,

after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Lord Chancellor, setting forth the circumstances of the case, and praying him to inquire into the truth of them. And if upon such inquiry, or upon a petition presented by the Master (as the case may be), it shall appear to the satisfaction of the Lord Chancellor that the Master has become permanently incapable of performing his duties, then it shall be lawful for the Lord Chancellor to nominate one of such two Fellows as by the vote of the greatest number of the Fellows present at a meeting convened by the Vice-Gerent shall be presented to him, to be Pro-Master of the College, and to assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one third) of the Master's emoluments as the Lord Chancellor shall think fit; provided that the Master shall be at liberty to retain his lodgings. And such Pro-Master shall, so long as the Master shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Master, except the power of consenting to any commutation, regulation, or diminution of the Master's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes and in the same manner. If any Pro-Master shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, it shall be lawful for the Lord Chancellor to appoint a new Pro-Master in the same manner. It shall be lawful for the Lord Chancellor, if at any time he shall be satisfied that the Master's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments. These provisions shall take effect in lieu of the provisions of the existing Statutes relating to the incapacity of the Master.

5. In elections to Fellowships within the College, no person shall be either entitled to preference or ineligible by reason of his aptitude or want of aptitude for any particular Faculty mentioned in the Statutes, or of his having or not having

taken any degree, or of his pecuniary circumstances; provided that no person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office, which, if acquired after election, would have disqualified him for continuing a Fellow. No person shall (except by virtue of clause 18 of this Ordinance,) be incapable of admission to a Fellowship on account of his not being in Holy Orders.

6. The election of Fellows shall take place on a stated day in each year, to be appointed by the Master and Fellows (subject to the provision for postponement herein-after contained); and notice of every intended election, and of the conditions of election, shall be given by the Master, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

7. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Master and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the Master and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

8. Every person elected to a Fellowship shall be entitled to receive during the period of probation the same emoluments as if he had been admitted an actual Fellow.

9. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled in possession, either by descent or devolution, or by virtue of any testamentary or other gift or settlement, for his life or for any greater estate, to property, real or personal, or to any Government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice,

property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls), clear of deductions, (except for property or income tax), shall exceed Three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources (including or not including a benefice with cure of souls), clear of deductions as aforesaid, shall exceed Five hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months; and for this purpose the income which the estimated value of any property would produce, if invested in Government securities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice: Provided that, if any Fellow who shall become possessed of any such property, pension, or office as aforesaid shall then hold any educational office within the College, and shall be found very useful in such office, the Master and Fellows may, by a resolution adopted at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated, retain him in his Fellowship, either with or without the emoluments of the same, but with all the other rights and privileges of a Fellow. Upon ceasing to hold an educational office in the College, the Fellow so retained shall vacate his Fellowship.

10. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes; and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office which would in ordinary cases render the possessor ineligible, and although they may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows: —

(*a*) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the Master and all the Fellows shall have been given.

(*b*) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree either by diploma or by decree of Convocation, or any honorary degree, provided that two thirds of the votes of the Master and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid.

11. The election in such excepted cases shall always be held more than thirty days before the usual stated day of election, and the electors may at the time of election determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges; provided also, that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

12. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office which would in ordinary cases disqualify him for continuing a Fellow, may, nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Master and all the Fellows; or if he shall be Principal of any Hall (not being a private Hall), by two thirds of the votes of the Master and all the Fellows; provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

13. Not more than one Fellowship shall at any one time be held by Professors or Public Lecturers elected as such under Clause 10 of this Ordinance, or retained under Clause 12 of this Ordinance, if and so long as the whole number of Fellowships within the College, exclusive of suspended Fellowships, shall not exceed twelve.

14. Every Professor, Public Lecturer, or Principal of a Hall, elected to or retained in a Fellowship by virtue of either of the foregoing Clauses numbered 10 and 12, shall, upon

ceasing to hold such Professorship, Public Lecturership, or Principalship, vacate his Fellowship.

15. It shall be lawful for the Master and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Master and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Master and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

16. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College, shall thereupon vacate his Fellowship.

17. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University, contained in the existing Statutes, shall be henceforth void. The Master and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interests of the College as a place of learning and education; and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and in case of contumacious noncompliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Master and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes, which shall be binding on the members of the College.

18. No present or future Fellow shall be bound, as a con-

dition of retaining his Fellowship, to enter into Holy Orders, or not being in Holy Orders, to study Theology. But if at the time of holding an election to a Fellowship, there shall not be six Fellows of the College in Holy Orders, no person shall be eligible to such Fellowship who shall not then be a Priest or Deacon of the United Church of England and Ireland, or have declared that he intends to take Holy Orders in the said Church. Every person who shall be elected after making such declaration shall be required to take Deacon's Orders at the least within two years from the day of his election, or if he shall not then be of sufficient age, within one year after the time at which he shall be of sufficient age, and in default thereof shall vacate his Fellowship: Provided that it shall be lawful for the Master and Fellows in the case of sickness, or for any other very urgent cause, to grant a delay for a period not exceeding six months.

19. The power of depriving Fellows for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Master and Fellows, and shall be exercised by the vote of the major part of the Master and all the Fellows, subject only to such appeal to the Lord Chancellor as is herein-after provided: Provided that this Clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

20. The number of Fellowships within the College shall never be less than twelve, inclusive of the Fellowship which the Master and Fellows were by an Ordinance, dated the Ninth day of June, One thousand eight hundred and fifty-six, empowered to suspend, unless the Lord Chancellor shall think fit, on a petition in writing presented and subscribed by the Master and not less than three fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Master and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be

obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

21. The Master and Fellows shall, once at least in every ten years, lay before the Lord Chancellor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the said Lord Chancellor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the said Lord Chancellor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than Three hundred pounds a year (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances), to direct either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Master and Fellows, with the approbation of the Visitor, shall determine.

22. The following Scholarships or Exhibitions shall hereafter be Scholarships of the College, namely:—

The four Scholarships of the foundation of Sir Simon Bennet.

The two Scholarships of the foundation of Dr. John Browne.

One Scholarship of the foundation of Mr. Thomas Browne, the holder of which shall receive all the emoluments now belonging to the two Scholarships of that foundation.

The Scholarship of the foundation of Mr. Otho Hunt.

The Scholarship of the foundation of Dr. Shepherd.

One other Scholarship to be henceforth maintained out of the corporate revenues of the College.

23. In elections to Scholarships of the College, no person

shall be ineligible or entitled to preference on account of his place of birth, or of his being or not being of the name or kindred of any person named in any instrument of foundation. No person shall be eligible who shall have completed the eighth Term from that of his matriculation inclusive.

24. The emoluments of every Scholar of the College shall be not less than Fifty pounds *per annum*, inclusive of all allowances except for rooms; and every Scholar shall be entitled, during residence, to an additional allowance of Ten pounds *per annum* for rooms; the deficiency (if any) of the revenues of each foundation shall be made up out of the emoluments of any Fellowship which may be suspended by virtue of the said Ordinance of the Ninth day of June, One thousand eight hundred and fifty-six, or, if there shall not be a sufficient amount available from that source, out of the corporate revenues of the College.

25. The Scholarships of the College shall be tenable for such a period, being not less than five years, nor more than six years, from the day of election inclusive, as the Master and Fellows shall from time to time, at any stated general meeting determine. The Master and Fellows shall not be required to fill up more than two Scholarships of the College in any one year. Every Scholar or Exhibitioner who shall marry, or be elected to a Fellowship, or cease to be a Member of the College, shall thereupon vacate his Scholarship or Exhibition.

26. The election of Scholars of the College shall be held on a stated day in each year, to be appointed by the Master and Fellows (subject to the provision for postponement hereinafter contained); and thirty days at least before the day of election, notice of every intended election shall be given by the Master in such manner as he shall deem best adapted to ensure publicity.

27. The candidates for the Scholarships of the College shall be examined in such subjects and in such manner as the Master and Fellows shall appoint; and that candidate (being otherwise duly qualified according to the Statutes of the College in force for the time being) shall be elected, who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

28. In elections to the Scholarships or Exhibitions of the

foundation of Mr. John Freeston, no person shall be ineligible or entitled to preference by reason of his place of birth; and no person shall be entitled to preference by reason of his having been educated at any School other than the Schools individually named in the instrument of foundation, or by reason of his having been educated at any School, unless he shall have been educated at such School for two years at least next preceding the day of election. Thirty days at least before the day of election to a Scholarship or Exhibition of that foundation, notice of every intended election, and of the conditions of election, shall be given by the Master to the Head Masters of the Schools individually named as aforesaid.

29. In elections to the Scholarships or Exhibitions of the foundation of Robert Gunsley, clerk, no person shall be ineligible or entitled to preference by reason of his place of birth; and no person shall be entitled to preference on account of his being a Scholar of any School, unless he shall have been educated at such School for one year at least next preceding the day of election.

30. The four Exhibitions of the foundation of Mr. William Lodge shall be consolidated into two Exhibitions, which shall be bestowed by the Master and Fellows on the Bible Clerks, or such other deserving members of the College, as they shall deem to be most in need of support at the University, without preference on account of kinship or place of birth.

31. The Scholarships or Exhibitions of the foundations of Robert Dudley, earl of Leicester, Mr. John Freeston, Robert Gunsley, clerk, and Mr. William Lodge, shall be tenable till the completion of eighteen terms from matriculation inclusive, and no longer.

32. Whenever there shall be no duly qualified candidate for a vacant Fellowship or Scholarship, whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to some other day, to be fixed by the Master and Fellows for the purpose, not later than the next ensuing stated day of election, in the case of a Fellowship of Fellows, and in the case of a Scholarship of Scholars of the College, and every such post-

poned election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

33. Whenever there shall be no candidate for a vacant Scholarship or Exhibition of the foundation of Mr. John Freeston, duly qualified in respect of his place of education, whom the electors shall judge of sufficient merit for election, the Scholarship or Exhibition shall be thrown open for that turn to general competition, and the election shall be held on a day to be appointed by the Master and Fellows, not later than the next ensuing stated day of election to Scholarships of the College.

34. The Master and Fellows may, if they shall think fit, commute the stipend now payable to every Fellow of the College, or any part of such stipend, for an aliquot share of the corporate revenues of the College. It shall be lawful for the Lord Chancellor, upon the petition of any person who shall be a Fellow at the time of such commutation being determined on, and shall conceive himself aggrieved thereby, to disallow such commutation, if he shall think fit.

35. The Master and Fellows may from time to time regulate, as they shall think fit, the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Master and Fellows shall think proper: Provided, that it shall be lawful for the Lord Chancellor, upon the petition of the Master, or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided also, that the Mastership shall not be deemed to be an office within the meaning of this Clause.

36. There shall be two stated general meetings at least of the Master and Fellows in every year, on such days as the Master and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting, to a day to be specified in the resolution. Except in cases in which

the concurrence of any specified proportion of the Master and Fellows, or the consent of the Master is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present: if the votes shall be equal, the Master shall have an additional casting vote. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided, that the Master and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

37. The power which is given by the existing Statutes to the Vice-Gerent to act in place of the Master, and the power of any officer of the College who may hereafter be authorized by any Statute or Bye-law to act in place of the Master, shall be deemed to extend to all the acts which the Master is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Master's emoluments.

38. The particular provisions of the existing Statutes respecting the subjects and hours of study and instruction within the College, and the disputations and other exercises to be performed by its members; and respecting the punishments for offences not being such as require deprivation; and respecting the reading of the Statutes; and respecting the custody of the monies and other goods of the College, other than the muniments and seal, shall be henceforth void. The Master and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions or any of them are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Lord Chancellor on the part of any person who may deem himself aggrieved thereby as is herein-after provided.

39. If in any case it shall appear to the Lord Chancellor that, by reason of any change in the value of money, any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the said Lord Chancellor from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

40. The Master and Fellows shall, as often as they may be required to do so, answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of ascertaining whether the Statutes in force for the time being are duly observed.

41. It shall be lawful for the Master or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Master and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act, or decision, or sentence to the Lord Chancellor; and it shall be lawful for the Lord Chancellor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence as he shall deem just.

42. It shall be lawful for the Lord Chancellor, on the complaint of the Master, or of any of the Fellows, to disallow and annul any bye-law or resolution of the Master and Fellows which shall, in his judgment, be repugnant to any of the Statutes of the College in force for the time being.

43. The Master and Fellows, by a majority consisting of not less than two thirds of the votes of those present, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, repeal or alter any of the Statutes of the College in force for the time being, with the consent of the Visitor.

44. In the construction of this Ordinance the words

"Lord Chancellor," shall mean the Lord High Chancellor of Great Britain, and shall include the Lord Keeper and Lords Commissioners for the custody of the Great Seal of Great Britain for the time being.

45. In the construction of this Ordinance, the Fellowships and Fellows of the College shall be taken to be the Fellowships and Fellows of the foundations mentioned in the existing Statutes of the College, and no others.

46. Whenever the words, "the Fellows," or "the Master and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows, and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

47. This Ordinance shall be without prejudice to the right of Her Majesty, Her heirs and successors, to visit the College, and to any existing interest (being such an interest as is intended to be saved by the said Act,) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal this Fourth day of March One thousand eight hundred and fifty-seven.

L. S.

Ordinance in relation to the Fellowships of the foundation of Dr. John Radcliffe, and in relation to the Scholarships of the foundations of Mr. John Freeston and Robert Gunsley, Clerk, framed by the Commissioners.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the

reign of Her Majesty Queen Victoria, intituled "An Act "to make further Provision for the good Government and "Extension of the University of Oxford, of the Colleges "therein, and of the College of Saint Mary, Winchester," ordain as follows in relation to the Fellowships of the foundation of Dr. John Radcliffe, and in relation to the Scholarships or Exhibitions within University College of the foundation of Mr. John Freeston and Robert Gunsley, Clerk :—

The Emoluments of the Two Fellowships of the said foundation of Dr. John Radcliffe shall be applied, as the same shall become vacant, to the maintenance of three Fellowships to be called Dr. John Radcliffe's Travelling Fellowships.

Each of the said Three Fellowships shall be of the annual value of Two hundred pounds at least, and shall be tenable for three years from the day of election inclusive, and no longer.

No person shall be ineligible by reason of his not being a Master of Arts of the University of Oxford and entered on the Physic line, but no person shall be eligible unless he shall have passed all the Examinations required by the University for the degree of Bachelor of Arts and have been placed in the first class in the School of Natural Science, or (in case the period of ten years shall have elapsed from the time of the approval of this Ordinance by Her Majesty in Council), unless he shall have passed all the examinations aforesaid, and either have been placed in the first class in one at least of the public examinations of the University, or have obtained some Prize or Scholarship within the University, unattached to any College or Hall, and open to general competition among the members of the University.

No person shall be eligible, who shall not have made a declaration that he intends to graduate in Medicine in the University of Oxford, with the view of engaging in the practice of Medicine, and to travel abroad with a view to his improvement in that study, or who shall be, at the time of election, legally authorized to practise as a Physician.

The candidates shall be examined in such branches of and subjects connected with Medical Science, in such manner, and by such persons or person holding office within the Uni-

versity of Oxford, as the electors shall appoint; and that candidate shall be elected who, having passed such examination, shall appear to the electors to be of the greatest merit.

No Fellow of the said Foundation shall be required as such to become a member of University College.

Any Fellow who after his election shall spend more than one year and six months in the whole within the United Kingdom, shall thereupon vacate his Fellowship.

The electors shall not be required to elect to more than one Fellowship in any one year.

In case at any election no person shall offer himself as a candidate willing to make the declaration herein-before required, and who shall be of sufficient merit for election in the judgment of the electors, the election shall be thrown open for that turn to all persons who shall have been placed in the first class in the School of Natural Science, whether authorized to practice or not, and the person then elected shall not be required to make such declaration.

It shall be lawful for the Master and Fellows of University College, if they shall think fit, to commute the right to the two sets of rooms within the said College now belonging to the Fellows of the said Foundation for the annual sum of Ten pounds for each set. The said two sums of Ten pounds each and the emoluments of any vacant Fellowship during the vacancy thereof shall be invested from time to time, and the income of such investments shall be applied in the first instance in defraying the expenses of the examination of candidates for the said Fellowships, and subject thereto shall be added to the emoluments of the Three Fellowships.

In elections to the Scholarships or Exhibitions of the foundation of Mr. John Freeston and Robert Gunsley, Clerk, within University College, no person shall be entitled to preference by reason of his being of the name, kindred, or alliance of the said John Freeston or Robert Gunsley.

Given under our Common Seal this Ninth day of January One thousand eight hundred and fifty-eight.

L. S.

ORDINANCES

CONCERNING

BALLIOL COLLEGE.

PAGE

1. Ordinance for the consolidation of Scholarships, and for other purposes, framed by the Commissioners 49

2. General Ordinance, framed by the Commissioners 53

3. Ordinance amending the first Ordinance, made by the Master and Fellows 69

4. Ordinance respecting the Snell Exhibitions, framed by the Commissioners 72

5. Ordinance amending the second Ordinance, made by the Master and Fellows 75

BALLIOL COLLEGE.

Ordinance for the consolidation of Scholarships, and for other purposes, framed by the Commissioners.

WE, the Commissioners appointed for the purposes of an Act passed in the 17th and 18th years of the reign of Her Majesty Queen Victoria, intituled, "An Act to make further Provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of St. Mary, Winchester," do, in execution of the powers given to us by the said Act, ordain as follows:

1. No present or future Fellow of Balliol College, in Oxford, shall be bound as a condition of qualification for the retention of his Fellowship to enter into holy orders, and every or any statute, or clause or provision of a statute, of the said College requiring or adjoining all or any of the Fellows thereof to enter into holy orders, shall henceforth, so far as regards such requirement or injunction, be absolutely void.

If at the time when any vacant Fellowship within the said College ought, according to the statutes and regulations of the said College, to be filled up, there shall not be four Fellows of the said College in holy orders, no person shall be capable of being elected to such Fellowship who shall not then be a Priest or Deacon of the United Church of England and Ireland, provided that if, in any such case, the vacancy shall have occurred within three calendar months before the usual day of election, it shall be lawful for the Master and Fellows, if they shall think fit, to postpone the election for any period not longer than one year.

2. The Scholarships, now ten in number, of the original foundation within Balliol College, and the two Scholarships of Dame Elizabeth Periam's foundation shall be consolidated into four Scholarships, in manner herein-after directed.

The said twelve existing Scholarships shall, as vacancies occur therein, not be filled up, but the corporate revenues of the College shall be charged with the maintenance (instead of the said twelve Scholarships) of four Scholarships, to each of which a yearly stipend of not less than 56*l.* shall be attached, payable out of such corporate revenues, before any division thereof among the Fellows of the College.

The time at which the first election shall be held to each of the said four Scholarships (from which time, and not before, the stipend attached to such Scholarship shall become payable) shall be in the discretion of the Master and Fellows: provided that all the said four Scholarships shall be filled up as quickly as the occurrence of vacancies in the existing twelve Scholarships shall make it practicable to do so conveniently.

The Exhibition of John Blagdon's foundation, the two Scholarships of John Edgcombe's foundation, the two Scholarships of Richard Ellsworth's foundation, the two Scholarships of Charles Harris's foundation, the Exhibition of Mary Headlam's foundation, and the Exhibitions of Roger Mander's foundation, shall be consolidated into four Scholarships within the said College, in manner following, that is to say: the same several Exhibitions and Scholarships shall, as vacancies occur therein, not be filled up, but all the emoluments of, and appertaining to, the same, which would have been payable to the persons elected into the same and their successors, had the same been filled up, shall be applied as the same shall become available in maintaining four Scholars within the said College, each of whom shall receive yearly one fourth part of the total amount of such emoluments.

The time at which the first election shall be held to each of the last-mentioned four Scholarships, shall be in the discretion of the Master and Fellows, provided that a separate account shall be opened and kept in the books of the College of the emoluments which shall become available from the source last herein-before mentioned, and the said emoluments shall, as the same shall become available, be applied in the

first place, if the Master and Fellows shall think fit, in repaying to the domus fund of the College any monies which the Master and Fellows may, before the whole of such emoluments shall have become available, have voluntarily advanced out of the divisible corporate revenues of the College, for the purpose of accelerating the establishment of the last-mentioned four Scholarships, and, subject thereto, in establishing and maintaining the same four Scholarships, and to no other purpose whatsoever.

In elections to the eight Scholarships to be established, pursuant to this Ordinance, and in elections to the two Scholarships of Dr. Bell's foundation, no preference shall be given to any person on account of his place of birth or parentage, or of his being of the name, lineage, kindred, or consanguinity of any person named in any deed or will, charter, or other instrument whatever, or of his being, or having been, a Scholar of any school.

The holders of the eight Scholarships to be established pursuant to this Ordinance, and the two Scholars on Dr. Bell's foundation, shall be entitled, in addition to their respective stipends or emoluments, to receive tuition free from all charges, and shall be elected on the same days, by the same persons, and in the same manner, and shall be liable to deprivation by the same authority, for the same causes, and in the same manner, as the Scholars of the original foundation are now elected and liable, and shall be subject to such regulations as to their instruction, discipline, and attendance on Divine worship, as the Master and Fellows may from time to time prescribe.

No person who shall have attained the age of nineteen years shall be eligible to any of the eight Scholarships to be established pursuant to this Ordinance, or to either of the two Scholarships of Dr. Bell's foundation.

The eight Scholarships to be established pursuant to this Ordinance, and the two Scholarships of Dr. Bell's foundation shall be tenable for five years, and no longer; and every Scholar who shall marry, or be elected to a Fellowship in the said College, or cease to be a member of the said College, shall, *ipso facto*, vacate his Scholarship.

3. Every Probationer, Fellow of Balliol College, shall, on

his election, make a declaration in the following form: "I, A. B., promise to observe the statutes and bye-laws of the College of Balliol, so far as they concern me."

Every actual Fellow of the said College shall, on admission to his Fellowship, make a declaration in the following form:—"I, A. B., will be true and faithful to the College of Balliol, and promote its interests and studies by every means in my power."

Every Scholar of the said College shall, on admission to his Scholarship, be admonished by the Master of the College to observe the statutes and bye-laws of the College so far as they may concern such Scholar.

The several oaths prescribed by the statutes of the College to be taken on election to a Fellowship before the admission of a Probationer to an actual Fellowship, and before admission to a Scholarship respectively, the oath prescribed by the ordinance of John Feckenham and William Wright, dated the 14th day of March 1558, and the oath prescribed or referred to in an indenture, dated the 11th day of November 1615, and made between the surviving executors of the will of Peter Blundell, of the first part, the Master and Scholars of Balliol College of the second part, and the surviving feoffees of the lands of the said Peter Blundell, named in his will, of the third part, shall not hereafter be administered or taken.

Given under our common seal this 9th day of June 1856.

L. S.

General Ordinance, framed by the Commissioners.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled, "An Act to make further Provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Balliol College in the said University:—

1. In elections to the office of Master of the said College, no person shall be entitled to preference by reason of his being or having been a Fellow of the College. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being), who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education.

2. The Master shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided that in case of the Master's sickness or for any other urgent cause it shall be lawful for the Visitor to dispense with the Master's residence for such a period as may seem to the Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the Master.

3. The Master and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Mastership, including therein the portion of the Rectory of Huntspill, in the County of Somerset, annexed to the office of Master, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and

may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Master's emoluments, whether commuted or uncommuted, as they shall think proper; Provided, that no exercise of this power shall affect the person then being Master without his consent: Provided also, that the Visitor, upon the petition of the Master or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

4. If at any time it shall appear that the Master has become permanently incapable of performing the duties of his office, the Senior Fellow in residence shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Master (as the case may be), it shall appear to the satisfaction of the Visitor that the Master has become permanently incapable of performing his duties, then the Visitor shall nominate one of the three Senior Fellows for the time being in Holy Orders to be Vice-Master of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one third) of the Master's emoluments as the Visitor shall think fit; provided that the Master shall be at liberty to retain his lodgings. And such Vice-Master shall, so long as the Master shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Master, except the power of consenting to any commutation, regulation, or diminution of the Master's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes and in the same manner. If any Vice-Master shall die, resign his office, vacate or be deprived of his Fellowship, or become

incapable, the Visitor shall appoint forthwith one of the three Senior Fellows for the time being in Holy Orders (exclusive of the Vice-Master resigning or becoming incapable) to be Vice-Master in his room. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Master's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments. These provisions shall take effect in lieu of the provisions of the existing Statutes relating to the incapacity of the Master.

5. In elections to Fellowships within the College, no person shall be either entitled to preference or ineligible by reason of his place of education, or pecuniary circumstances, or of his being or not being a Scholar of the College, or a Scholar of any particular foundation therein, or of his having or not having taken the degree of Bachelor or Master of Arts in the University of Oxford; and no person shall be ineligible by reason of his being of illegitimate birth: Provided that no person shall be eligible who shall not have taken the degree of Bachelor of Arts in some University in Great Britain or Ireland, or passed all the examinations required by the University of Oxford for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office, which, if acquired after election, would have disqualified him for continuing a Fellow.

6. Sixty days at least before the day of election to a Fellowship notice of every intended election, of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Master in such manner as he shall deem best adapted to secure publicity.

7. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Master and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the Master and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being,) who, after such examination, shall

appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

8. Every person elected to a Fellowship shall be entitled to receive, during the year of probation, the same emoluments as if he had been admitted an actual Fellow.

9. The rank, privileges, and advantages which every person hereafter to be elected to a Fellowship shall hold and enjoy in the College shall (except so far as is otherwise hereinafter provided) be determined according to the date of his admission to such Fellowship.

10. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any Government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice, (being a benefice with cure of souls,) clear of deductions, (except for property or income tax,) shall exceed Three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources, (including or not including a benefice with cure of souls,) clear of deductions as aforesaid, shall exceed Five hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months, and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds *per centum* Consolidated Annuities, at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall in this clause include any estate or interest in possession in any property, real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property, or any of such sources of income, shall have been acquired shall, in

construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice. No Fellow shall be so disqualified by reason of his having become possessed of any benefice, property, pension, or office, so long as he shall continue to reside in the University, and to hold the office of Dean, Tutor, Lecturer, or senior Bursar, within the College.

11. Every Fellow who shall marry shall thereupon vacate his Fellowship.

12. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office which would in ordinary cases render the possessor ineligible, and although they may not have taken the degree of Bachelor of Arts in any University, or passed the examinations required by the University of Oxford for that degree, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

(*a*) Any Professor or Public Lecturer within the University of Oxford for whose election a majority of the votes of the Master and all the Fellows shall have been given; the Master's vote being counted as two votes.

(*b*) Any Principal of a Hall within the University, not being a Private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree either by diploma, or by decree of Convocation, or any honorary degree, provided that two thirds of the votes of the Master and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid; the Master's vote being counted as two votes.

13. The election in such excepted cases shall always be held more than Sixty days before the usual day of election, and the electors may at the time of election determine the

rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges: Provided also, that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

14. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office, which would in ordinary cases disqualify him for continuing a Fellow, may, nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Master and all the Fellows, or if he shall be Principal of any Hall (not being a Private Hall), by two thirds of the votes of the Master and all the Fellows, the Master's vote being in each case counted as two votes: Provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

15. Any Fellow elected under Clause 12, or retained under Clause 14, shall (except in the case herein-after mentioned) be deemed entitled thereafter to hold his Fellowship, although he may afterwards marry or become possessed of any property, pension, or office, or of any benefice (not being a benefice in the gift of the College, the possession of which would in ordinary cases be incompatible with the retention of a Fellowship).

16. Not more than one Fellowship shall at any one time be held under the powers conferred by Clauses 12 and 14 of this Ordinance, if and so long as the whole number of Fellowships within the College, exclusive of suspended Fellowships, shall not exceed twelve.

17. Any person elected under Clause 12, or retained under Clause 14, and being a Professor or Public Lecturer within the University, who at the time of his election or retention shall hold a benefice with cure of souls, and who shall continue to hold such benefice for six calendar months afterwards, shall thereby vacate his Fellowship; and no person elected or retained under either of the said Clauses shall by virtue thereof be enabled to hold with his Fellowship any benefice in the gift of the College, the possession of which would, in ordinary cases, be incompatible with the retention of a Fellowship.

Every Professor, Public Lecturer, or Principal of a Hall, elected or retained under either of the said Clauses, who shall cease to hold such Professorship, Public Lectureship, or Principalship, and every Professor or Public Lecturer, elected or retained as aforesaid, who shall be instituted to any benefice with cure of souls, shall thereby vacate his Fellowship.

18. It shall be lawful for the Master and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever; but shall be entitled to enjoy such other privileges and advantages as the Master and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Master and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

19. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University shall thereupon vacate his Fellowship.

20. No Fellow hereafter to be elected (except any Scholar of the foundation of Mr. Peter Blundell who may be elected a Fellow by virtue of an interest acquired before the passing of the said Act) shall vacate his Fellowship by reason only of his having held the same for any period of time mentioned in any instrument of foundation.

21. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University contained in the existing Statutes, shall be henceforth void. The Master and Fellows shall, at the first stated general meeting or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations

from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and, in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Master and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the members of the College.

22. The number of Fellowships within the College shall never be less than eleven, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the Master and not less than three fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Master and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

23. The Master and Fellows shall once at least in every ten years lay before the Visitor of the College a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be), and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than Three hundred pounds a year (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances), to direct either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sum which

shall be so set apart shall be applied to such College purposes as the Master and Fellows, with the approbation of the Visitor, shall determine. The power given by the existing Statutes to the Visitor, the Master, and three Senior Fellows, to determine that the number of Fellowships shall be increased or diminished shall not hereafter be exercised.

24. The two Scholarships of the foundation of Mr. Peter Blundell within the College, when vacant, and the first Fellowship of the said foundation becoming vacant after this Ordinance shall have been approved by Her Majesty in Council, or being vacant at the time of such approval, to which there shall be no Scholar of the same foundation entitled by virtue of an interest acquired before the passing of the said Act to succeed or be elected, shall not be filled up. In lieu of the said Fellowship, and of the said two Scholarships, the corporate revenues of the College shall be charged with the maintenance of five Scholarships within the College, to be called Blundell Scholarships, to each of which an annual stipend of not less than sixty pounds shall be attached, payable out of such corporate revenues *pari passu* with the stipends of the other Scholarships of the College.

25. The said five Scholarships shall be respectively tenable for five years, and no longer; and any Scholar who shall marry, or be elected to a Fellowship within the College, or shall cease to be a member of the College, shall thereupon vacate his Scholarship.

26. This Ordinance shall take effect without prejudice to the rights of the Scholars or Scholar of the said foundation who shall be such at the time of the approval thereof by Her Majesty in Council to receive, in respect of their or his Scholarships or Scholarship, the same emoluments, and during the same periods or period, as if this Ordinance had not been made.

27. The first election shall be held to each of the said five Scholarships as soon as the occurrence of vacancies in the said Fellowship and the said two existing Scholarships shall render it practicable to do so without imposing upon the corporate revenues of the College a greater charge than the same would have been liable to for the time being, in respect of the said Fellowship and two Scholarships, if this Ordinance had not

been made. The Master and Fellows shall not be bound to fill up more than one Blundell Scholarship in any one year.

28. The elections to the said five Scholarships shall be held at Mr. Peter Blundell's School at Tiverton in the county of Devon, on such day in each year between the fifteenth and twenty-ninth days of June, both inclusive, as the Master and Fellows shall appoint, after a competitive examination of the candidates in subjects connected with the studies of the said School. Such examination shall be conducted by three Examiners, one to be appointed by the Master and Fellows, another (not being a Master of Tiverton School) by the Feoffees of Mr. Blundell's estate, and the third by the Master and Fellows of Sidney Sussex College, in the University of Cambridge, or in default of appointment by them, by the Master and Fellows of Balliol College. The expenses of the Examiner or Examiners to be appointed by Balliol College, shall be defrayed out of the corporate revenues of the College. The Examiners shall elect that candidate (being a Scholar of the said School educated therein for the three years immediately preceding the election) who after such examination shall appear to them to be of the greatest merit, and most fit to be a Scholar of the College. The Examiners shall, immediately after each election, notify to the Head Master of the School the subjects of examination for the ensuing year. Notice of the day appointed for the election shall be given not less than thirty days previously by the Master of the College to the Head Master of the School.

29. No person shall be admitted to be a candidate who shall have attained the age of nineteen years, or whom the said Feoffees for the time being shall not deem proper to be a candidate, having regard to his moral character and pecuniary circumstances.

30. Whenever there shall be no duly qualified candidate whom the Examiners shall judge of sufficient merit for election, the vacant Scholarship shall be thrown open for that turn to general competition, and the election shall be postponed to the next ensuing day of election to the Scholarships of the College (other than Blundell Scholarships), and shall be conducted in all respects as if such Scholarship had been one of those Scholarships.

31. The holders of the said five Scholarships shall be liable to deprivation by the same authority, for the same causes, and in the same manner as the other Scholars of the College, and shall be subject to such regulations as to their instruction, discipline, and attendance on Divine Worship as the Master and Fellows may from time to time prescribe.

32. The election of Exhibitioners of the foundation of John Newte, clerk, shall be held after a competitive examination of the candidates in such subjects connected with the studies of the said Mr. Peter Blundell's School as the electors shall from time to time determine. The electors shall elect that candidate (being a Scholar of the said School educated therein for the two years immediately preceding the election) who after such examination shall appear to them to be of the greatest merit.

33. The four Exhibitions of the foundation of John Warner, bishop of Rochester, shall be consolidated into two Exhibitions, the holders of which shall receive by equal shares the whole emoluments now payable to the four Exhibitioners. The election of Exhibitioners of the said foundation shall be held after a competitive examination of the candidates in such subjects, and conducted in such manner, as the electors shall from time to time appoint, and that candidate, being otherwise duly qualified according to the instrument of foundation, shall be elected, who after such examination shall appear to be of the greatest merit.

34. In elections to the Exhibitions of the foundation of Richard Greaves, clerk, no person shall be entitled to preference on account of his having been educated at any School, other than the Free School of Ludlow, in the county of Salop, and no person shall be entitled to preference on account of his having been educated at the said Free School of Ludlow, unless he shall have been educated therein for the two years immediately preceding the election. Whenever there shall be no duly qualified candidate for a vacant exhibition of this foundation, whom the electors shall judge of sufficient merit for election, the Exhibition shall for that turn be thrown open to general competition, and the election to it shall be held at some time within three months from the day originally fixed

for that purpose, from which day the five years shall in that case be computed.

35. The Exhibitions of the foundations of John Newte, John Warner, and Richard Greaves, shall be tenable for five years, and no longer. The holders of the same shall be liable to deprivation by the same authority, for the same causes, and in the same manner, as the Scholars of the College, and shall be subject to such regulations as to their instruction, discipline, and attendance on Divine Worship, as the Master and Fellows may from time to time prescribe.

36. The Master and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves, or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

37. The power of depriving the Master for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Visitor alone; and shall be exercised by him after due inquiry upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as, according to such Statutes, shall require deprivation, shall be vested in the Master and Fellows, and shall be exercised by the vote of the major part of the Master and all the Fellows, subject only to such appeal to the Visitor as is herein-after provided: Provided that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any Member of the College.

38. Whenever there shall be no duly qualified candidate for a vacant Fellowship or Scholarship whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to the usual day of election in the case of a Fellowship of Fellows, and in the case of a Scholarship of Scholars, in the ensuing year; and every such postponed election shall be held and conducted in the same manner and after the same previous notice as if there had been no postponement.

39. The Master and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College, and the instruction and discipline of its Members, and may assign to such new offices such stipends or emoluments as the Master and Fellows shall think proper: Provided, that it shall be lawful for the Visitor, upon the petition of the Master or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit; provided also, that the Mastership and the Catechetical Lectureship shall not be deemed offices within the meaning of this clause.

40. The Master and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the appointment and payment of Chaplains, and for the daily performance of Divine service according to the Liturgy of the United Church of England and Ireland, within the College during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Master and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine service and Chaplain Fellows shall be henceforth void.

41. In case the Master or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland as by law established, such contumacious ceasing to conform shall be a cause for depriving the Master of his Mastership and any such Fellow of his Fellowship.

42. The oaths prescribed by the existing Statutes to be taken before electing to the office of Master and on admission

to the same, shall not hereafter be taken. But every person elected to the office of Master shall take an oath at the time of his admission, to the effect that he will faithfully perform the duties of the office, and obey the Statutes and Bye-laws of the College in force for the time being, so far as they may concern him; and the electors to the office of Master shall, before electing, take an oath to the effect that they will elect the person best qualified in their judgment for the same.

43. There shall be two stated general meetings at least of the Master and Fellows in every year, on such days as the Master and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Master shall be counted as two votes at all College meetings, and in the election, admission, and deprivation of Fellows, and in the election and deprivation of Scholars and Exhibitioners. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the Master and Fellows, or the consent of the Master, is hereby made requisite, every question arising at any College meeting shall be decided by a majority of the votes of those present. Whenever the votes shall be equal, the vote of the Junior Fellow present shall not be counted. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided, that the Master and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

44. The power which is given by the existing Statutes to the Vicegerent to act in place of the Master, and the power of any officer of the College who may hereafter be authorized by any Statute or Bye-law to act in place of the Master, shall be deemed to extend to all the acts which the Master is hereby authorized or directed to do, except the giving consent to any

commutation, regulation, or diminution of the Master's emoluments.

45. The particular provisions of the existing Statutes respecting the subjects of study within the College, the disputations and other exercises to be performed by its members, and their attendance in the Schools and at the exercises of the University; and respecting the dress, conversation, and other personal habits of the members of the College; and respecting the conditions of their going beyond the precincts of the College; and respecting the mode of conducting the meals of the members of the College; and respecting the assistance to be given to members of the College on taking degrees and otherwise; and respecting the punishments for offences not being such as require deprivation; and respecting the distribution of the rooms of the College; and respecting the use of the library; and respecting the times of opening and closing the gates and doors of the College; and respecting the admission of Students, not being Fellows or Scholars, into the College; and respecting the reading of the Statutes; and respecting the service of the College, and the number, duties, and payment of the servants of the same, shall be henceforth void. The Master and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions, or any of them, are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby, as is herein-after provided.

46. If in any case it shall appear to the Visitor, that by reason of any change in the value of money, any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be

substituted for and stand in the place of the sum originally fixed, as aforesaid.

47. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of general Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or if he shall think fit at other times, to require the Master and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

48. As often as any question shall arise on which the Master and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the Master and Fellows, or for the Master or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him. The authority to interpret the Statutes given by the existing Statutes of the College to the Visitor, the Master, and two senior Fellows, shall not hereafter be exercised.

49. It shall be lawful for the Master, or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Master and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act or decision, or sentence, to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence, as he shall deem just.

50. It shall be lawful for the Visitor, either *proprio motu*, or on the complaint of the Master or any of the Fellows, to disallow and annul any bye-law or resolution of the Master

and Fellows, which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

51. The Master and Fellows, by a majority consisting of not less than two thirds of the votes of those present, the vote of the Master being counted as two votes, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being with the consent of the Visitor.

52. Whenever the words "the Fellows," or "the Master and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows, and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

53. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal, this 28th day of March, 1857.

L. S.

Ordinance amending the Ordinance of June 9, 1856, *made by the Master and Fellows.*

WHEREAS the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good Government "and Extension of the University of Oxford, of the Colleges "therein, and of the College of Saint Mary Winchester," framed and settled an Ordinance, dated the ninth day of June, One thousand eight hundred and fifty-six, for the consolidation of Scholarships within Balliol College in the said

University, and for other purposes; and such Ordinance, after being submitted to the College in manner directed by the said Act, was duly approved by Her Majesty in Council on the twentieth day of March, One thousand eight hundred and fifty-seven:

And whereas the said Ordinance, after directing (amongst other things) that certain Scholarships and Exhibitions within the College should be consolidated into eight Scholarships in manner therein mentioned, contains the following Clause or portion of a Clause:—

"The holders of the eight Scholarships to be established "pursuant to this Ordinance, and the two Scholars on Dr. "Bell's foundation, shall be entitled, in addition to their re- "spective stipends or emoluments, to receive tuition free from "all charges, and shall be elected on the same days, by the "same persons, and in the same manner, and shall be liable "to deprivation by the same authority, for the same causes, "and in the same manner, as the Scholars of the original "foundation are now elected and liable, and shall be subject "to such regulations as to their instruction, discipline, and "attendance on Divine Worship as the Master and Fellows "may from time to time prescribe."

And whereas by an Act passed in the nineteenth and twentieth years of the reign of Her said Majesty, intituled "An Act to amend the Act of the seventeenth and eighteenth "years of Her Majesty concerning the University of Oxford "and the College of Saint Mary Winchester," it is enacted that it shall be lawful for any College, of or in relation to which any Regulation, Ordinance, or Statute shall have been approved by Her Majesty in Council under Section 36 of the first herein-before mentioned Act, from time to time, with the approval of the Commissioners, and during the continuance of their powers under the said Act, to amend or alter such Regulation, Ordinance, or Statute, subject to the same conditions and provisions as are imposed by the Act in relation to the making of the original Regulation, Ordinance, or Statute:

And whereas it is expedient that the said Ordinance of the ninth day of June, One thousand eight hundred and fifty-six, should be amended as herein-after mentioned:

We, the Master and Fellows (otherwise styled the Master and Scholars) of Balliol College aforesaid, do ordain as follows:—

The said Ordinance of the ninth day of June, One thousand eight hundred and fifty-six, shall henceforth be read as if in lieu of the clause or part of a clause herein-before set forth there had been inserted therein the clause or part of a clause following:—

"The holders of the eight Scholarships to be established pursuant to this Ordinance, and the two Scholars on Dr. Bell's foundation, shall be entitled, in addition to their respective stipends or emoluments, to receive tuition free from all charges, and shall be elected on the same days, by the same persons, and in the same manner as the Scholars of the original foundation are now elected, and shall be subject to such regulations as to their instruction, discipline, and attendance on Divine worship as the Master and Fellows may from time to time prescribe. The Master and Fellows may deprive any Scholar of his Scholarship for any misconduct which shall in their judgment deserve deprivation; but any Scholar so deprived shall have liberty to appeal to the Visitor, who may reverse or vary the sentence of deprivation as he shall deem just."

Given under our Common Seal, this Twenty-first day of May, one thousand eight hundred and fifty-seven.

L. S.

Laid before us, the said Commissioners, this Twenty-eighth day of May, one thousand eight hundred and fifty-seven, and approved under our Common Seal.

L. S.

Ordinance in relation to the Foundation of Mr. John Snell, framed by the Commissioners.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to "make further Provision for the good Government and Ex- "tension of the University of Oxford, of the Colleges therein, "and of the College of St. Mary Winchester," hereby ordain as follows, in relation to the Exhibitions founded under the will of Mr. John Snell, deceased, within Balliol College in the said University, and to the estates and emoluments of the said Foundation.

It shall be lawful for the Master and Fellows of Balliol College on the one part, and the Principal and Professors of Glasgow College on the other part, to fix from time to time, by mutual agreement, the number of Exhibitioners to be maintained out of the revenues of Mr. Snell's Foundation, and the amount of their several emoluments, taking into consideration, amongst other things, the income of the Foundation for the time being, the amount of competition, and the expense of residence at Oxford. Every such agreement shall be in writing, and sealed with the seals of both Colleges, and shall be laid before the Visitor of Balliol College for his approval, and until approved by him shall not be valid. Until any such agreement shall be made and approved, and subject to such alterations as may be introduced thereby, the number and stipends of the Exhibitions shall be the same as at present. Provided that, whether any such agreement shall have been made or not, two Exhibitioners at least shall be elected in every year after all present Exhibitioners shall have vacated their Exhibitions; and that, until that period shall arrive, not more than two shall be elected in any year, unless it shall be deemed expedient to do so by both Colleges.

The Exhibitioners shall be elected from candidates born in Scotland, or whose fathers shall have been born in Scotland, and who shall have resided for two years at least in Glasgow College, or for one year in that College, and two at least in some other College in Scotland. The Principal and Professors

of Glasgow College for the time being shall be sole judges of the question, what constitutes residence in that or any other College in Scotland within the meaning of this clause, if such question should arise.

An examination of the candidates shall be held annually at Glasgow College, on some day or days during the session of the University of Glasgow, by examiners to be appointed by the Principal and Professors of Glasgow College. Notice that such examination is about to be held, and of the number of vacancies to be filled up, shall be given by the Principal, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the commencement of the examination. The examination shall be in such subjects, and shall be held on such day or days, and in such manner, as the Principal and Professors of Glasgow College shall determine. The candidates who upon such examination shall appear to be of the greatest merit and most fit for election, shall be nominated by the Principal and Professors to the Exhibitions which are then to be filled up. The Principal and Professors may require from the candidates such testimonials of moral character as they may think fit.

Every examiner, not being a Professor of Glasgow College, shall receive on each examination fifteen pounds out of the Surplus Fund.

The candidates nominated may be examined by the Master and Fellows of Balliol College before being admitted to matriculation, in the same manner as other candidates for admission to the College; and if approved, shall be elected to their respective Exhibitions by the Master and Fellows, and admitted to rooms in the College on or before the twentieth day of October following each nomination respectively.

Exhibitioners hereafter to be elected shall hold their exhibitions for five years, and no longer, from the day of nomination inclusive, and the stipend of each Exhibitioner shall be deemed to accrue from the day of his nomination, and shall be paid to him quarterly; the first payment being made within three months after the day of his admission.

Any Exhibitioner who shall marry, or shall cease to be a member of Balliol College, or shall be promoted to or accept any place or office in the Army or Navy, shall vacate his Ex-

hibition; but no Exhibitioner hereafter to be elected shall forfeit his Exhibition by acceptance of any ecclesiastical preferment in England or Wales. Any Exhibitioner who shall be rusticated, or shall be absent from the College without the permission of the Master, shall forfeit a proportionate part of his emoluments for the period of his rustication or absence, unless the Master and Fellows shall think proper to permit him to receive the same. Any Exhibition which may become vacant by death or otherwise before the expiration of such term of five years, shall not be filled up until after the expiration of the said term. The emoluments of any vacant Exhibition, until the nomination of the next holder thereof, shall be apportioned and paid to a Surplus Fund, which shall be applied as herein-after directed.

The estates and funds of the said Foundation shall be vested in and administered by Balliol College as trustees thereof; but the Master and Fellows of that College shall, within fourteen days after the fifth day of April in every year, render to the Principal and Professors of Glasgow College printed accounts of the income and expenditure of the said Foundation for the preceding twelve calendar months, and, if required by the said Principal and Professors, such vouchers for the said accounts as shall be in the possession of the Master and Fellows.

The allowances which have been heretofore made to the Master for his care and government of the Exhibitioners of the said Foundation (commonly called "Gubernation money"), and to Balliol College in consideration of the privileges of the Library enjoyed by the Exhibitioners of the said Foundation (commonly called "Privilege money") shall be continued. The allowance to the Master shall henceforth be at the rate of two pounds *per centum* on the net income of the estate and funds of the Foundation, and the allowance to the College at the rate of four pounds *per centum* on such net income. The annual sum heretofore allowed for a dinner, according to the directions of the testator's will, shall not hereafter be paid. Emoluments forfeited for rustication, absence without leave, or any other cause, by Exhibitioners of the Foundation, shall be added to the Surplus Fund.

The Master and Fellows may reserve in their hands,

towards the expenses of managing the trust estate, and for improving the same, an annual sum not exceeding ten pounds *per centum* upon the said net income (or, with the approval of the Principal and Professors of Glasgow College, but not otherwise, any larger sum which may be thought necessary), and may, with the like approval, apply any part of the money so reserved in contributions or donations to charitable or benevolent purposes in any place where the estates of the Foundation or any part thereof are or may be situate. The surplus not required for the aforesaid purposes of the money so reserved shall be added to the Surplus Fund.

The Surplus Fund shall be employed from time to time for the benefit of the Foundation in such manner as may be agreed upon between the Master and Fellows of Balliol College and the Principal and Professors of Glasgow College. So much thereof, or of the produce thereof, as may remain unapplied, shall be invested from time to time in Public Securities as may be deemed expedient, and such investments shall be considered as still forming part of the Surplus Fund.

Any Exhibitioner of the said Foundation who may be elected to and accept an Exhibition of the Foundation of Dr. John Warner, Bishop of Rochester, shall vacate the Exhibition held by him when so elected.

Given under our Common Seal this Fourth day of December, one thousand eight hundred and fifty-seven.

L. S.

Ordinance amending the Ordinance of March 28, 1857, *made by the Master and Fellows.*

WHEREAS the Commissioners appointed for the purpose of an Act passed in the 17th and 18th years of the reign of Her Majesty Queen Victoria, intituled "An Act to make "further provision for the good Government and Extension "of the University of Oxford, of the Colleges therein, and of

"the College of Saint Mary Winchester," framed and settled an Ordinance dated the 28th day of March, 1857, which Ordinance was duly approved by Her Majesty in Council on the 27th day of August, 1857:

And whereas the said Ordinance contains the following Clause or portion of a Clause:—

Clause 33. "The four Exhibitions of the Foundation of "John Warner, Bishop of Rochester, shall be consolidated into "two Exhibitions, the holders of which shall receive by equal "shares the whole emoluments now payable to the four Exhi- "bitioners. The election of Exhibitioners of the said Founda- "tion shall be held after a competitive examination of the can- "didates in such subjects, and conducted in such manner, as the "Electors shall from time to time appoint; and that candidate, "being otherwise duly qualified according to the instrument "of Foundation, shall be elected, who after such examination "shall appear to be of the greatest merit."

And whereas by an Act passed in the 19th and 20th years of the reign of Her Majesty Queen Victoria, intituled, "An "Act to amend the Act of the 17th and 18th years of Her "Majesty concerning the University of Oxford and the Col- "lege of Saint Mary Winchester," it is enacted that it shall be lawful for any College, of or in relation to which any Regulation, Ordinance or Statute, shall have been approved by Her Majesty in Council under section 36 of the said Act, from time to time, with the approval of the Commissioners, and during the continuance of their powers under the said Act, to amend or alter such Regulation, Ordinance, or Statute, subject to the same Conditions and Provisions as are imposed by the Act in relation to the making of the original Regulation, Ordinance, or Statute:

And whereas it is expedient that the said Ordinance of the 28th day of March, 1857, should be amended as herein-after mentioned:

We, the Master and Fellows (otherwise styled the Master and Scholars) of Balliol College aforesaid, ordain as follows:—

The said Ordinance of the 28th day of March, 1857, shall henceforth be read as if in lieu of the clause or part of a clause herein-before set forth there had been inserted therein the clause or part of a clause following:—

"The four Exhibitions of the Foundation of Dr. John Warner, Bishop of Rochester, shall be consolidated into one Exhibition, the holder of which shall receive the whole emoluments now payable to the four Exhibitioners. The Exhibitioners shall be elected from candidates born in Scotland, or whose fathers shall have been born in Scotland. No person shall be admissible as a candidate who shall have completed the fourth term of his academical residence in the University of Oxford. The election of Exhibitioners shall be held after a competitive examination of the candidates in such subjects, and conducted in such manner, as the Electors shall from time to time appoint; and that candidate, being otherwise duly qualified according to the instrument of Foundation, and this Ordinance, shall be elected, who upon such examination shall appear to be of the greatest merit. Any Exhibitioner of the said Foundation who may be elected to and accept an Exhibition founded under the will of Mr. John Snell shall vacate the Exhibition held by him when so elected. Whenever there shall be no duly qualified candidate for a vacant Exhibition of the Foundation of Doctor John Warner, whom the Electors shall judge of sufficient merit for election, the Exhibition shall be thrown open for that turn to general competition, and the election to it shall be held at some time within three months from the day originally fixed for that purpose, from which day the five years for which such Exhibition is now made tenable shall in that case be computed."

Given under our Common Seal this Twelfth day of December, in the year of our Lord one thousand eight hundred and fifty seven.

L. S.

Laid before us, the said Commissioners, this Seventeenth day of December, one thousand eight hundred and fifty seven, and approved under our Common Seal.

L. S.

ORDINANCES

CONCERNING

MERTON COLLEGE.

1. General Ordinance 81

2. Ordinance concerning the Linacre Professorship of Physiology... 97

ORDINANCES

CONCERNING

MERTON COLLEGE.

General Ordinance, framed by the Commissioners.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to "make further Provision for the good Government and Ex- "tension of the University of Oxford, of the Colleges therein, "and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Merton College, otherwise called the House or College of Scholars of Merton, in the said University :—

1. The election of the Warden of the said College shall be vested in such Fellows of the College present at the time of election as shall have completed two years from the day of their admission as actual Fellows. As soon as it shall have become known that a vacancy has occurred in the office of Warden, the Sub-Warden, or in his absence the senior Fellow in residence, shall convene a meeting of such Fellows as shall then be residing in the College. Such meeting shall appoint a day and hour for the election of a Warden, and the Sub-Warden, or the senior Fellow in residence, as the case may be, shall convene a meeting of the electors for that day and hour. The day of election shall not be less than twenty nor more than sixty days from the day on which the occurrence of the vacancy shall have become known. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being,)

who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education. The votes of the electors shall be openly taken, and that person in whose favour the greatest number of votes shall have been given, shall be declared elected. If the votes shall be equal, the Sub-Warden, or in his absence the senior Fellow present, shall give an additional casting vote. Such election being made, the Sub-Warden or senior Fellow present at the election, as the case may be, shall forthwith communicate to the Visitor the name of the person elected; and the Visitor shall confirm the election, unless it shall appear to him that such person is not duly qualified according to the Statutes in force for the time being, or is unfit for the office. If the Visitor shall refuse to confirm the election, he shall notify such refusal to the Sub-Warden, or the senior Fellow present at the election, as the case may be; and the Fellows qualified as aforesaid shall, within ten days of such notification by the Visitor, proceed in manner and form aforesaid to elect three persons whom they shall consider duly qualified for the office; and the Sub-Warden, or in his absence the senior Fellow present at the last-mentioned election, shall thereupon communicate to the Visitor the names of the persons so elected, of whom the Visitor shall nominate one, being fit and qualified as aforesaid, to be Warden of the College.

2. The Warden shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided that in case of the Warden's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the Warden's residence for such a period as may seem to the Visitor to be required by the necessities of the case.

3. The Warden and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Wardenship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Warden's emoluments, whether commuted or

uncommuted, as they shall think proper: Provided, that no exercise of this power shall affect the person then being Warden without his consent: Provided also, that the Visitor, upon the petition of the Warden or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

4. If at any time it shall appear that the Warden has become permanently incapable of performing the duties of his office, the Sub-Warden shall, upon the request of any three or more Fellows qualified to vote in the election of the Warden, convene a meeting of the Fellows so qualified, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Warden (as the case may be), it shall appear to the satisfaction of the Visitor that the Warden has become permanently incapable of performing his duties, then the Visitor shall nominate such one of the Fellows as, by the vote of the greatest number of the Fellows qualified as aforesaid, and present at a meeting convened by the Sub-Warden, shall be chosen and presented to the Visitor for the purpose, if in his judgment fit for the office, to be Pro-Warden of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one third) of the Warden's emoluments as the Visitor shall think fit; provided that the Warden shall be at liberty to retain his lodgings. And such Pro-Warden shall, so long as the Warden shall retain his office, and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties and have all the powers and authorities of Warden, except the power of consenting to any commutation, regulation, or diminution of the Warden's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes and in the same manner. If any Pro-Warden shall die, resign his office, vacate or be deprived of his Fellowship, or become in-

capable, the Visitor shall appoint a new Pro-Warden in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Warden's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

5. The election of Fellows shall be vested in the Warden and such of the Fellows present at the time of election as shall have completed two years from the day of their admission as actual Fellows. That candidate shall be deemed elected for whom the greatest number of the electors present shall have voted. If there shall be an equality of votes, the Warden shall have an additional casting vote.

6. The Warden and Fellows shall from time to time divide the Fellowships as nearly as may be into two moieties, whereof one moiety shall be termed Clerical Fellowships, and shall always be held by persons who have taken, or have declared their intention to take Holy Orders. No person shall be eligible to a Clerical Fellowship who shall not either be a Deacon or Priest of the United Church of England and Ireland, or declare that he intends to take Holy Orders in the said Church; and a period of five years from the day of election shall be allowed to every person so declaring, within which he shall take Deacon's Orders at the least, or in default thereof shall vacate his Fellowship. Subject to the above provision, no Fellow shall be required, as a condition of retaining his Fellowship, to enter into Holy Orders, or, not being in Holy Orders, to study theology.

7. The election of Fellows shall take place on a stated day in each year, to be appointed by the Warden and Fellows, (subject to the provision for postponement herein-after contained,) and notice of every election, of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Warden, in such manner as he shall deem best adapted to ensure publicity, at least thirty days before the day of election.

8. In elections to Fellowships no person shall be either entitled to preference or ineligible by reason of his place of birth or place of education, or of his being or not being of the kindred of Walter de Merton, or by reason of his pecuniary circumstances. No person shall be eligible who

shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office which, if acquired after election, would have disqualified him for continuing a Fellow.

9. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Warden and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognised in the Schools of the University; and the electors shall choose that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

10. Every person elected to a Fellowship shall be entitled to receive, during the year of probation, the same emoluments as if he had been admitted an actual Fellow.

11. Every Fellow who shall marry shall thereupon vacate his Fellowship; provided that it shall be lawful for the Warden and Fellows, if they shall think fit, to grant such Fellow a year of grace.

12. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled in possession either by descent or devolution, or by virtue of any testamentary or other gift or settlement, for his life or for any greater estate, to property, real or personal, or to any government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls) clear of deductions (except for property or income tax), shall exceed Three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources, (including or not including a benefice with cure of souls,) clear of deduc-

tions as aforesaid, shall exceed Five hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months; and for this purpose the income which the estimated value of any property would produce, if invested in government securities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. Except as aforesaid no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

13. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and although they may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

(*a.*) Any Professor or Public Lecturer within the University, for whose election a majority of the votes of the Warden and all the Fellows qualified to vote in the election of Fellows shall have been given.

(*b.*) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma or by decree of Convocation, or any honorary degree; provided that two thirds of the votes of the Warden and all the Fellows qualified to vote in the election of Fellows shall have been given for the election of such Principal or other person as last aforesaid.

14. The election in such excepted cases shall always be held more than thirty days before the usual stated day of election, and the electors may at the time of election determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges; provided

also, that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

15. Any Fellow who shall marry or become possessed of any benefice, property, pension, or office, which would in ordinary cases disqualify him for continuing a Fellow, may nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Warden and all the Fellows qualified to vote in the election of Fellows, or if he shall be Principal of any Hall (not being a private Hall), by two thirds of the votes of the Warden and all the Fellows qualified as aforesaid: Provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would be otherwise vacated.

16. Every Professor, Public Lecturer, or Principal of a Hall elected to or retained in a Fellowship by virtue of either of the foregoing clauses numbered 13 and 15, shall upon ceasing to hold such Professorship, Public Lecturership, or Principalship, vacate his Fellowship.

17. It shall be lawful for the Warden and Fellows qualified as aforesaid, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Warden and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Warden and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

18. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College shall thereupon vacate his Fellowship.

19. No Fellow shall be disqualified for retaining his Fellowship by reason of sickness or infirmity.

20. The provisions respecting the residence of Fellows and the mode of granting leave of absence from the University

contained in the existing Statutes shall be henceforth void. The Warden and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows within the University, and respecting the mode in which, and the conditions under which, leave of absence may be granted to any Fellow, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime and until such regulations can be made, the Warden and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes, which shall be binding on the members of the College.

21. It shall be lawful for the Warden and Fellows to suspend indefinitely, or for such periods as they may think proper, the election to the first and eleventh Fellowships which shall become vacant after the approval of this Ordinance, and to apply the emoluments of the Fellowships or Fellowship so suspended to the augmentation of the number or of the stipends or allowances of the Postmasters, Scholars, and Exhibitioners within the College, or to the maintenance or endowment of Lecturerships within the College, or partly to some and partly to others of those objects, in such manner and proportions as the Warden and Fellows shall from time to time determine.

22. The third, fifth, seventh, and ninth Fellowships which shall become vacant after the approval of this Ordinance shall not be filled up, and the emoluments thereof, to an amount not exceeding Eight hundred pounds *per annum*, shall be applied to the maintenance of a Professorship of Physiology, to be called the "Linacre Professorship of Physiology," which shall be established within the University under the provisions of an Ordinance or Ordinances, hereafter to be made by us the said Commissioners, or other the Commissioners exercising the powers of the said Act, or, in default thereof, by a Statute or Statutes of the University, which Statute or Statutes shall be subject to the consent of the Warden and Fellows. If the

aggregate emoluments of those four Fellowships shall in any year exceed Eight hundred pounds, the surplus beyond that sum shall fall into and be part of the general revenues of the College.

23. For the purposes of this Ordinance any Fellowship or Fellowships which may be vacant when this Ordinance shall be approved by Her Majesty in Council shall be considered as having become vacant immediately after such approval.

24. The emoluments of the Fellowships which the Warden and Fellows are hereby empowered or directed not to fill up, shall be the sums which would in each year have been payable to the holders of the same Fellowships, if the same had been filled up, and if the persons elected had resided in the University during the period required of them by the Statutes or Regulations of the College in force for the time being.

25. The number of Fellowships within the College shall never be less than eighteen (exclusive of Fellowships which the Warden and Fellows are hereby directed or empowered not to fill up), unless the Visitor shall think fit, on a petition in writing subscribed by the Warden and not less than three fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Warden and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Postmasters, Scholars, or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interest of the College as a place of religion, learning, and education. The Warden and Fellows shall not be bound by virtue of anything in the existing Statutes to augment the number of Fellowships above eighteen; but they shall, if and as soon as the increased revenues of the College will conveniently permit, raise it to twenty-four at least; and no Fellow hereafter to be elected shall receive more than Two hundred and fifty pounds a year in respect of his Fellowship (exclusive of rooms, or any allowance in respect thereof, but inclusive of all other allowances), so long as the number shall be less than twenty-four. This direction, how-

ever, shall be without prejudice to the power of the Warden and Fellows to apply any part of such increased revenues to other College purposes.

26. The Warden and Fellows shall once at least in every ten years lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the time which shall have elapsed since the date of the last statement (as the case may be), and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than Three hundred pounds a year, (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances,) to direct either that the number of Fellowships shall be increased above twenty-four, or that any part of such revenues shall be applied in increasing the number or emoluments of the Postmasterships, Scholarships, or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Warden and Fellows, with the approbation of the Visitor, shall determine.

27. In elections to the Postmasterships of the foundation of John Wyllyot, the Scholarships of the foundation of Henry Jackson, and the Exhibitions of the foundation of Edmund Arnold, no person shall be either entitled to preference or ineligible on account of his place of birth or place of education, or by reason of his being or not being of the kindred of any person named in any Statute, Will, Deed, or other instrument of foundation.

28. The Postmasters, Scholars, and Exhibitioners of the said foundations shall be elected by the Warden and such of the Fellows as shall be Tutors or Lecturers of the College, after an examination of the candidates in such subjects, and conducted in such manner, as the Warden and Fellows shall determine; and that candidate (being otherwise duly qualified according to the Statutes of the College in force for the time

being, and the instruments of foundation of the said Postmasterships, Scholarships, and Exhibitions respectively,) shall be elected, who, after such examination, shall appear to the electors to be of the greatest merit, and most fit to be admitted a Postmaster, Scholar, or Exhibitioner, as the case may be. Every election of Scholars of the foundation of Henry Jackson shall require confirmation by the Visitors of that foundation. The election of Postmasters, Scholars, and Exhibitioners shall take place on a stated day or stated days in each year, to be appointed by the Warden and Fellows (subject to the provision for postponement herein-after contained); and notice of such intended election shall be given by the Warden in such manner as he shall deem best adapted to ensure publicity thirty days at least before the day of election.

29. The Postmasterships of the foundations of John Wyllyot and John Chamber, the Scholarships of the foundation of Henry Jackson, and the Exhibitions of the foundation of Edmund Arnold, shall respectively be tenable for twenty Terms from election, (inclusive of the Term in which the election shall have taken place,) and no longer. The Warden and Fellows shall not be required to elect to more than three Postmasterships of the foundation of John Wyllyot, or more than one Scholarship of the foundation of Henry Jackson, in any one year. In case, in any election to a Postmastership of the foundation of John Chamber, no candidate shall offer himself duly qualified by nomination and otherwise according to the instrument of foundation, and whom the Warden and Fellows shall deem of sufficient merit to be admitted a Postmaster, the Postmastership shall be thrown open for that turn to all persons educated for not less than two years in the School of Eton College; and in default of a candidate so educated, whom the Warden and Fellows shall deem of sufficient merit for election, the election to the Postmastership shall be thrown open for that turn to general competition, and shall be held in the same manner and after the same previous notice as the elections to Postmasterships of the foundation of John Wyllyot.

30. The Warden and Fellows may deprive any Postmaster, Scholar, or Exhibitioner, of his Postmastership, Scho-

larship, or Exhibition, for any misconduct which, in their judgment, shall merit deprivation.

31. The Warden and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if those Statutes had contained no such clause or provision.

32. The power of depriving Fellows for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Warden and Fellows, and shall be exercised by the vote of the major part of the Warden and all the Fellows, subject only to such appeal to the Visitor as is herein-after provided: Provided that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

33. Whenever there shall be no duly qualified candidate for a vacant Fellowship, for a Postmastership of the foundation of John Chamber which shall have been thrown open as aforesaid, for a Postmastership of the foundation of John Wyllyot, or for a Scholarship or Exhibition, whom the electors shall judge of sufficient merit for election, and whenever a Fellowship, Postmastership, Scholarship, or Exhibition, shall fall vacant, and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to some other day, to be fixed by the Warden and Fellows for the purpose, not later than the next ensuing stated day of election in the case of a Fellowship of Fellows, and in the case of a Postmastership, Scholarship, or Exhibition, of Postmasters, Scholars, or Exhibitioners respectively; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

34. The Warden and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and

may assign to such new offices such stipends or emoluments as the Warden and Fellows shall think proper: Provided, that it shall be lawful for the Visitor, upon the petition of the Warden or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if the Visitor shall think fit: Provided also, that the Wardenship shall not be deemed to be an office within the meaning of this clause.

35. The Warden and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Warden and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

36. The oaths prescribed by the existing Statutes shall not hereafter be taken. But every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall, at the time of his election or admission, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office, and obey the Statutes and Bye-laws of the College in force for the time being, so far as they may concern him; and the electors to any place or office, before electing to which an oath is now required, shall, before electing, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

37. There shall be two stated general meetings at least of

the Warden and Fellows in every year, on such days as the Warden and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting, to a day to be specified in the resolution. Except in cases in which the concurrence of any specified proportion of the Warden and Fellows, or the consent of the Warden, is hereby made requisite, every question arising at any College meeting shall be decided by a majority of the votes of those present. Whenever the votes shall be equal, the Warden shall have an additional casting vote. Any Statute, rule, or usage of the College which does or may prohibit or restrain, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided, that the Warden and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

38. The power which is given by the existing Statutes to the Sub-Warden to act in place of the Warden, and the power of any officer of the College who may hereafter be authorized by any Statute or Bye-law to act in place of the Warden, shall be deemed to extend to all the acts which the Warden is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Warden's emoluments.

39. If in any case it shall appear to the Visitor that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor, from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall

think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

40. It shall be lawful for the Visitor, once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or if he shall think fit, at other times, to require the Warden and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

41. As often as any question shall arise on which the Warden and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College in force for the time being, it shall be lawful for the Warden and Fellows, or for the Warden or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

42. It shall be lawful for the Warden or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Warden and Fellows, and for any Postmaster, Scholar, or Exhibitioner, who may have been deprived of his Postmastership, Scholarship, or Exhibition, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence as he shall deem just.

43. It shall be lawful for the Visitor, either *proprio motu* or on the complaint of the Warden or any of the Fellows, to disallow and annul any Bye-law or resolution of the Warden and Fellows, which shall, in the Visitor's judgment, be repug-

nant to any of the Statutes of the College in force for the time being.

44. The power given by the existing Statutes to the Warden and ten or eight senior Fellows, of making Statutes, Rules, or Bye-laws, shall not hereafter be exercised.

45. The particular provisions of the existing Statutes respecting the subjects of study and instruction within the College; and respecting the dress, conversation, and other personal habits of its members; and respecting the meals of the members of the College, and the mode of serving and conducting the same; and respecting the inquiries to be made into the life and conduct of the members of the College, and the mode of making the same; and respecting the admission of strangers into the precincts of the College; and respecting the service of the College; and respecting progresses and the appointment of bailiffs and other matters relating to the supervision of the property of the College, shall be henceforth void. The Warden and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions or any of them are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby, as is herein-before provided.

46. The Warden and Fellows, by a majority consisting of not less than two thirds of the votes of those present, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, repeal or alter any of the Statutes of the College in force for the time being, with the consent of the Visitor.

47. Whenever the words "the Fellows," or "the Warden and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows; and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

48. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved

by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal, this 19th day of February 1857.

L. S.

Ordinance concerning the Linacre Professorship of Physiology, framed by the Commissioners.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled, "An Act to "make further provision for the good Government and Exten- "sion of the University of Oxford, of the Colleges therein, and "of the College of St. Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Merton College, otherwise called the House or College of Scholars of Merton, in the said University:—

Whereas, by an Ordinance framed by us, and dated the Nineteenth day of February, one thousand eight hundred and fifty-seven, it is (amongst other things) provided that the emoluments of certain Fellowships within Merton College, being the third, fifth, seventh, and ninth, which should fall vacant after the approval of the said Ordinance by her Majesty in Council, shall, to an amount not exceeding Eight hundred pounds *per annum*, be applied to the maintenance within the said University of a Professorship of Physiology, to be established as therein mentioned: Now we ordain that there shall be established within the University a Professorship of Physiology, to be called the Linacre Professorship of Physiology, to the maintenance of which the said emoluments shall always be applied.

The election of the said Professor shall always be vested in the Visitor and Warden of Merton College, the President

of the College or Commonalty of the Faculty of Physic in London, commonly called the Royal College of Physicians, the President of the Royal College of Surgeons of England, and the President of the Royal Society for the time being, or the major part of them. The first election of a Professor shall take place as soon as three of the said four Fellowships shall have become vacant, or sooner if the persons holding the aforesaid offices, or the major part of them, shall so determine; and the emoluments which previously to that election shall have accrued from such of the said Fellowships as shall become vacant shall be invested and accumulated by Merton College, and paid with the accumulations to the first Professor on his election. The University may by Statute define, and from time to time regulate the functions and duties of the Professor, and may provide for the performance of them by deputy in case of his unavoidable absence or incapacity, and for the suitable payment of any such deputy out of the Professor's emoluments, and may determine whether the Professor shall be permitted to receive any and what fees for attendance on his instructions, provided that no such fees shall be payable by any member of Merton College. The Professor shall reside in the University for six months at least, between the Tenth day of October in every year and the First day of the next ensuing July, and in default thereof shall vacate his Professorship, unless leave of absence shall have been granted to him on account of sickness, or for any other very urgent cause, by or by authority of the University. The Professor shall not during his tenure of the Professorship, practise either Medicine or Surgery. It shall be lawful for the Vice-Chancellor and the Delegates of Appeals in Congregation, or the greater part of them, to deprive of his Professorship any Professor who, in their judgment, shall have been proved to be guilty of culpable negligence or misconduct in his office, grave immorality, or non-observance of the Statutes relating to him, reasonable notice in writing of the charge having been first given to the Professor by the Vice-Chancellor, to enable him to answer the same if he shall desire to do so. The University may by Statute regulate the mode of proceeding on any such charge as aforesaid, and limit the time allowed for giving notice. The Warden and Fellows of

Merton College qualified to vote in the election of Fellows may, if they shall think proper, elect the Professor to be a Fellow of the College, without notice, examination, or probation, and although married, and although possessed of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and although he may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided he be otherwise qualified for election, and be not a Fellow of any other College within the University; but any Professor so elected a Fellow shall not be entitled in right of his Fellowship to any emoluments besides those attached to his Professorship, nor, if married, to rooms within the College, or to any allowance in respect of rooms, and if he shall cease to hold the Professorship, shall vacate his Fellowship. The Fellowship to which the Professor may, as herein-before provided, be elected, shall not be counted in the division of the Fellowships of the College into two moieties directed by the sixth clause of the aforesaid Ordinance to be made, nor in the number of eighteen and twenty-four Fellowships mentioned in the twenty-fifth clause of that Ordinance.

Given under our Common Seal, this 3d day of April 1857.

L. S.

STATUTES

OF

EXETER COLLEGE,

MADE BY

THE RECTOR AND FELLOWS.

110167

PAGE

Preamble 103

Stat. I. The Constitution of the College..... 103

II. The Rector..... 104

III. The Fellows 108

IV. The Officers of the College 112

V. Of the Scholars and Exhibitioners 115

VI. The Admission of Commoners..... 120

VII. Divine Service in the College Chapel 120

VIII. Studies and Discipline of the College..... 120

IX. Division of Revenues, Management of Property, &c. 121

X. College Meetings, and their Powers..... 124

XI. The Visitor..... 125

XII. Concerning the Suppression of Fellowships, and the Repeal of Former Statutes..... 126

STATUTES

OF

EXETER COLLEGE.

PREAMBLE.

EXETER COLLEGE was founded by Walter de Stapledon, Bishop of Exeter, in the year of our Lord 1316; and was incorporated by Charter of Queen Elizabeth in 1565, under the name of Exeter College in the University of Oxford, and enlarged by a second endowment given in that year by Sir W. Petre, Knight, for the "increase of sound learning, and "for the common profit of the Church of Christ and of this "Realm, and of the subjects of the same;" to which purposes and objects, according to the pious intentions expressed in the Charter, the College is for ever dedicated.

STATUTE I.

THE CONSTITUTION OF THE COLLEGE.

The Foundation shall consist of a Rector and fifteen Fellows, one of them being a Chaplain Fellow; of two or more Scholars, called King Charles the First's Scholars; and of twenty other Scholars, or more or fewer, as the College, with the consent of the Visitor, having regard to the amount of revenues divisible amongst such Scholars, under the provisions of Statute IX., and always to the better promotion of religion and learning, shall from time to time determine.

STATUTE II.

THE RECTOR.

1. *Qualifications.*

Any person shall be eligible to the Rectorship, who is a Master of Arts, or of any superior degree, in the University of Oxford; is a Priest of the Church of England, but not a Bishop; has attained the age of thirty years; bears an irreproachable character for purity of morals and soundness of faith; and possesses ability to promote the literary, educational, and financial interests of the College. A preference however shall be given to one who is, or has been, a Fellow of Exeter College.

2. *Election.*

The election of the Rector shall be vested in the Fellows present at such election, and shall be conducted in the following manner. Within three days after the vacancy of the Rectorship becomes known in the College, the Sub-Rector, or in his absence the senior Fellow then in Oxford, shall, by notice affixed to the doors of the Chapel, declare the Rectorship vacant, and shall name the day and appoint the hour for the election of a new Rector; and if no Fellow be in Oxford at the time, or within three days after the vacancy becomes known in College, such declaration and appointment shall be made as soon as conveniently may be by the Fellow who shall first arrive in Oxford after such vacancy becomes known; and the person making such declaration, nomination, and appointment, shall give further notice of the same in such way as shall best secure publicity, and shall cite each Fellow to be present at such election; but the non-observance of these last two provisions shall not invalidate any election once completed. The hour thus appointed shall be some hour not earlier than eight a. m. nor later than noon; and the day shall be the seventeenth day from the above formal declaration of the vacancy, unless such vacancy occur on or after the thirtieth day of June, and before the tenth day of October in any year, in which case the day of election shall be the thirtieth day from such formal declaration; provided that if such

seventeenth or thirtieth day fall on a Sunday, the election shall take place on the following day. The place of election shall be the College Chapel, or some other convenient place within the College walls appointed by the College, and all the Fellows shall be present and vote, under pain of deprivation, except there be some grave and sufficient reason for their absence, to be approved by the College. And at the appointed time and place, the Sub-Rector, or in his absence the senior Fellow then present, shall first read aloud this Statute, and shall then administer to each elector, and take himself, the following Oath: "I, A. B. swear, that I will faithfully and conscientiously elect to the office of Rector him whom I believe to be the best fitted for that office by statutable and also by personal qualifications. So help me God." When this oath has been taken, the two senior Fellows then present shall receive the votes of each in order, privately and in writing; after which, the same two Fellows shall scrutinize the results together; and the Senior shall at once pronounce him elected, for whom an actual majority of those present shall have voted. But if no such majority be obtained before four o'clock p. m., the meeting shall be adjourned to eight o'clock a. m. on the following day, not being Sunday; and if the following day is Sunday, then on the Monday following; and such adjourned meeting shall be continued until either an actual majority or an equality of votes be obtained, or until noon; at which hour, if no actual majority or equality of votes shall have been previously obtained, he shall be pronounced elected who shall obtain the greatest number of votes, though not an actual majority. But if at such adjourned meeting an actual majority or an equality of votes be obtained, he shall be pronounced elected who shall obtain such a majority, or in the case of an equality of votes, for whom the Sub-Rector, or in his absence the senior Fellow then present, shall have voted. Provided nevertheless, that if the said Sub-Rector or senior Fellow shall himself be one of those for whom an equal number of votes are given, in this case the Sub-Rector or senior Fellow shall be pronounced elected. No elector shall vote for himself. Within six days after the termination of the election, or as soon after that period as possible, the Rector Elect shall be admitted to his

office by the Sub-Rector, or senior Fellow then present, in the presence of all the Fellows then in Oxford, by the administration of the following Oath: "I, A. B., Rector Elect of Exeter College, in the University of Oxford, do swear faithfully and truly to observe, and to cause to be observed by all those subject to my authority within the said College, whether Fellows, Scholars, Commoners, or Servants, all the Statutes and Bye-laws of the said College severally to them pertaining. I swear also faithfully and sedulously to watch over the interests of the College as a place of learning and education, and diligently to guard the said College from detriment in respect of all lands, tenements, monies, rights, liberties, privileges, and possessions, whether secular or ecclesiastical, which, by virtue of my office, shall be committed to my charge. So help me God."

If the Rector Elect shall refuse to take this oath, the election shall be null and void to all purposes, and the Sub-Rector, or in his absence the senior Fellow then present, shall proceed to another election, as if the said office had been vacated by death or resignation.

3. *Privileges and Duties.*

The Rector shall exercise a general superintendence over the College in all its departments. The appointment of the Tutors and Lecturers is vested in his hands, subject to the conditions mentioned in Statute IV. The engagement and dismissal of the College Servants is at his discretion. The College Accounts shall be kept and Revenues shall be managed by him, in conjunction with the Bursar or Bursars. The Rector shall reside in the College during at least eight months in the year, five of which shall be in Term. Residence at Kidlington in time of Vacation, shall count as residence in the College. Dispensation from such residence of eight months may be granted for grave and urgent reasons, to be approved by a majority of the Fellows. At all elections and College meetings, and meetings of the Educational Council, in case of an equality of votes, the Rector's vote shall be decisive. The Rector, in addition to the two shares of the divisible revenues payable to him under Statute IX. and the revenues of the Vicarage of Kidlington, annexed to the Rectorship,

shall have the use of lodgings and garden free of all rent, and exempt from all rates, (except poor rates,) taxes, and charges for the repairs which shall from time to time be ordered by the College, and paid for out of the Domus Fund. He shall also receive a fixed payment of 150*l.* per annum from the Domus Fund, and in addition the moiety of the room rent, after the percentage charged upon it under Statute IX. shall have been deducted. Provided always, that if the whole sum accruing from the last-mentioned two sources shall fall below 500*l*, the deficiency shall be supplied from and out of the Domus Fund; but and if the said sum shall exceed 700*l*, the surplus shall be paid over by the Rector to the Domus Fund.

And all payments made by the College to the Rector, or by the Rector to the College, and all other payments, and all interest in any College Living or Livings, unless on presentation to such Living he do at once resign his Rectorship, shall cease and determine.

4. *Deprivation.*

Whenever a Resolution shall be passed by a majority of the Fellows, that the Rector has been guilty of any such moral offence, or offence against the Statutes, as calls for his deprivation, it shall be incumbent on the Sub-Rector and the five Senior Fellows then present in the College privately to communicate to the Rector the charge that lies against him, and to call upon him, unless he can disprove the same, to resign his office. In case of his refusal, or omission either to disprove the charge or to resign within seven days of such communication being made, the Sub-Rector shall within fourteen days from such communication, and with the consent of the majority of the Fellows, depute two of their number to obtain a personal interview with the Visitor, and to present him a petition, setting forth the circumstances of the case, and praying him to institute an enquiry accordingly. And the Visitor shall after full enquiry proceed, if he see fit, to the deprivation of the Rector.

STATUTE III.

THE FELLOWS.

1. *Qualifications.*

The Fellowships shall be open to general competition, and no preference shall be given in respect of place of birth or education. All persons, not being disqualified by the possession of property as herein-after mentioned, who are members of the Church of England, or of some Church in communion with it, and who shall have passed all the examinations required by the University for the degree of Bachelor of Arts, or shall have been admitted *ad eundem gradum* of this University, or have become in any way Members of Convocation, and who shall produce satisfactory testimonials of their moral character, shall be eligible. Preference shall be given to those candidates in whom shall be found the highest moral and intellectual qualifications, such intellectual qualifications having been tested by an examination in such subjects as the College from time to time shall determine.

2. *Election.*

The Election of the Fellows, with the exception of the Chaplain Fellow, who shall be elected as heretofore by the Chapter of Exeter, shall be vested in the Rector and Fellows present at such election; and the Rector and every Fellow shall be present at and take part in the examination and election, except for some grave and sufficient reason, to be approved by the College. No person shall vote in the election who shall not have taken part in the examination. The day of such elections shall be the thirtieth of June next following the vacancy, unless that day fall on a Sunday, in which case the election shall be on the day following. Provided that no vacancy shall be filled up within less than one month from its having happened, unless the Fellow vacating shall have had a year of grace. The election shall take place in the College Chapel, or in some other convenient place appointed by the College, and at some hour between eight a.m. and noon. Notice of every such election, and of the day of examination, shall be given by the Rector, or in his absence by the Sub-

Rector, in such way as in his judgment may best secure publicity.

At the appointed time and place, the Rector, or in his absence the Sub-Rector, shall continue for the space of two hours, if necessary, to take the votes of the Fellows, until for each Fellowship vacant some one candidate shall have obtained an absolute majority of the votes of the Electors; when such candidate shall be pronounced elected. In case, at the end of two hours, the whole number of votes shall be equally divided between two of the candidates, he for whom the Rector (or, in his absence, the Sub-Rector) shall have voted, shall be pronounced elected. If, however, at the expiration of the said two hours, any one or more vacancy or vacancies shall not have been filled up by either of these methods, then the names of those candidates for whom votes shall have been given at the last scrutiny shall be forwarded to the Visitor, who, if he shall see fit, may appoint one of the number to be admitted to his year of probation; but if he shall not make such appointment, then such Fellowship shall remain vacant until the thirtieth day of June in the following year.

Whenever the Chaplain Fellowship becomes vacant, the College shall, as soon as conveniently may be, give notice in writing of the vacancy to the Dean and Chapter of Exeter, who shall appoint a fit and proper person to be admitted to his year of probation for the same, as Probationary Chaplain Fellow. The Dean and Chapter shall certify that the person so appointed has been duly examined, and possesses the intellectual and moral qualifications requisite in a Fellow of the College. He shall be at least in Deacon's Orders, and shall proceed to take Priest's Orders with as little delay as possible.

All Probationary Fellows shall, during their year of probation, reside in the University twenty-four weeks at the least during Term, unless prevented by illness; and shall receive for their maintenance from the Domus Fund, or such other Fund as the College shall provide for the purpose, a sum of money equal to that paid to the Foundation Scholars. They shall not be present or vote at College meetings or elections. On admission to probation, they shall be admonished by the Rector, or in his absence by the Sub-Rector, to be true and

faithful to the College, to conform to the Statutes, and to be diligent in study. At the expiration of the year of probation, if, in the opinion of the Rector and major part of the Fellows present at a College meeting, they are by their moral and intellectual attainments duly qualified, they shall at the same or some subsequent College meeting be admitted Fellows by the Rector, or in his absence the Sub-Rector, after having taken the following Oath :

"I, A.B. do swear, that I will faithfully observe all the Statutes and Ordinances of this College, so far as they concern myself, and will, so far as in me lies, cause them to be observed by others. I will render due obedience to the injunctions, interpretations, and expositions of doubtful points in the Statutes given by the Visitor. I will obey the Rector, Sub-Rector, and other my superiors in College, in all things lawful and honest. I will defend the rights, liberties, possessions, and good fame of the College. I will be faithful and diligent in the discharge of the duties of any office committed to me. In the election of Fellows, I will without partiality vote for those whom I believe to possess the highest moral and intellectual qualifications. So help me God."

3. *Privileges and Duties.*

Each Fellow shall receive the dividends to which he is entitled under Statute IX. and shall also during residence, and no longer, be entitled to rooms rent free, and a daily allowance of one shilling to be paid from the Domus Fund.

All Fellows shall be bound to promote the main designs of the College, especially by study, teaching, or aiding in the administration of the College. The College shall have full power to enforce the residence of any Fellow, when his presence is required for the service of the College. And any Fellow refusing to reside, when duly summoned by the College, shall be punishable by pecuniary penalties at the discretion of the College; but such penalties shall not exceed half the annual value of his Fellowship, and shall be paid to the Domus Fund. Contumacy in this respect shall be punishable by the Visitor with deprivation.

All Fellows shall proceed to the degree of Master of Arts, Bachelor of Civil Law, or Bachelor of Medicine, within

six months after the first time at which the University Statutes allow these degrees to be taken, unless the College shall for sufficient special reasons allow a further postponement.

4. *Disqualification.*

Any Fellow who shall not within fifteen years from the day of his election as a Probationer have taken Holy Orders, shall *ipso facto* vacate his Fellowship. Provided always, that if any Fellow be, at the expiration of such fifteen years, actually engaged as Tutor or Lecturer in the College, he shall retain his Fellowship while so engaged, and no longer, without the obligation of taking Holy Orders, subject only to the other causes of avoidance of Fellowship. Provided also, that if any Fellow shall have been at any time engaged as Tutor or Lecturer in the College for ten academic years, whether consecutively or not, or for part of the time in one office and part in the other, he shall retain his Fellowship, without the obligation of taking Holy Orders, subject only, as above mentioned, to the other causes of avoidance of Fellowships.

If any Fellow shall marry, or shall become possessed of a government pension tenable for life, or any longer period, exceeding the clear annual value of 500*l*; or of an estate for life, or any greater estate exceeding the clear annual value of 500*l*, derived from lands or hereditaments, or from real or government securities, or from property real or personal, however invested, whereof the estimated value if invested in government securities would produce an income exceeding the above amount; or of an office, academic or otherwise, tenable for life or during good behaviour, (any office, but that of Rector, within Exeter College excepted,) exceeding the clear annual value of 500*l*; or shall become possessed of an income exceeding the above amount derived from any two or more of the above sources; or shall be instituted to an ecclesiastical benefice exceeding the clear annual value of 200*l*; he shall, except in the case of such institution as aforesaid, forthwith and *ipso facto* vacate his Fellowship; and in the case of such institution, he shall at the end of a full year from the date of such institution vacate his Fellowship.

5. *Deprivation.*

If any Fellow shall, after due enquiry made by the Rector, Sub-Rector, and Dean, appear to them to have been guilty of any grave immorality or obstinate heresy, or shall cease to be a member of the Church of England, or of some Church in communion with the Church of England, it shall be lawful for the Visitor on petition of the College to summon such Fellow, and on his appearance, or after due proof of the service of the summons in case of his non-appearance, to investigate the truth of the petition; and on proof thereof, and refusal in the case of heresy to make recantation thereof, to proceed to the deprivation of such Fellow.*

STATUTE IV.

THE OFFICERS OF THE COLLEGE.

1. *Names, Appointment, and Stipends.*

In addition to the Rector, the Officers of the College shall be the Sub-Rector, the Tutors, the Lecturers, the Dean, the Chaplain, the Catechist, and the Bursars. The Sub-Rector, Dean, Catechist, Bursars, and Hebrew Lecturer, shall be elected annually on the thirtieth of June, not being Sunday, and if Sunday, on the day following, by the Rector, and all such Fellows of the College as shall have taken the degree of Master of Arts at least, (of whom five shall constitute a quorum,) who are bound to make choice of those among the Fellows, who in their judgment shall be best qualified to fulfil the duties of their respective office. And any Fellow, refusing to take a College office to which he has been duly elected or ap-

* The paragraph concerning "Deprivation," printed in the text, was substituted by the Commissioners on the 11th of July, 1856, for the following, which had been framed by the Rector and Fellows, but had been disallowed by Her Majesty in Council:—

"If any Fellow shall, after due enquiry made by the Rector, Sub-Rector, and Dean, have been found guilty of any grave immorality, or any contradiction, by word or writing, of the Christian Faith, as held by the Church of England, or shall cease to be a member of the Church of England, or of some Church in communion with the Church of England, it shall be lawful for the Visitor, on petition of the College, to investigate the case, and to proceed if necessary to the deprivation of such Fellow."

pointed, shall, at the discretion of the College, be liable to the forfeiture of a sum not exceeding one third of the annual value of his Fellowship, and the same shall be carried to the Domus Fund. The Catechist and Hebrew Lecturer shall receive their present fixed stipends, which, however, it shall be lawful for the College to augment. The stipends of the Sub-Rector, Dean, and Bursars, shall be such as the College may from time to time determine.

2. *The Educational Council.*

The Educational Council shall consist of the Rector, Sub-Rector, Dean, Tutors, and Lecturers. This Council shall superintend the studies of the members of the College who are under the degree of Master of Arts, and shall regulate the studies of undergraduate members, and from time to time adapt them to the requirements of the University Examinations.

3. *The Sub-Rector.*

The Sub-Rector shall always rank next in precedence to the Rector, shall be of the standing of Master of Arts at least, and shall also be in Priest's Orders. He shall be the coadjutor of the Rector when present, and his representative in his absence, or during illness, in all that relates to the maintenance of discipline and good manners, and the inculcation of morality and religion. The Sub-Rector shall also be competent to act for the Rector in his absence; provided that in all matters relating to College property, and in all other matters which shall appear to the College of greater moment, he shall consult the Rector by letter, and await his reply, if it can be obtained within a convenient time. And at all elections, College meetings, and meetings of the Educational Council, in case of an equality of votes, the vote of the Sub-Rector shall in the absence of the Rector be decisive. But this clause shall not be construed to give the Sub-Rector a decisive vote in case of an equality of votes in the election of a Rector, otherwise than is provided by Statute II. He shall be constantly resident within the College during Term, unless any reasonable cause, to be approved by the College, shall require his absence. In any such case, if the Rector be not in residence, a temporary Sub-Rector shall be appointed.

4. *The Tutors.*

The Tutors shall be nominated by the Rector, subject to a veto of two thirds of the College, and shall be so many in number as the Rector shall from time to time determine. They shall be of the standing of Masters of Arts, and shall be men of pious conversation and learning. The duties of the Tutors shall be to give Lectures on such subjects as the Educational Council shall from time to time appoint, and to direct and assist the studies of their Pupils, and to exercise supervision over their conduct, to regulate in conjunction with the Rector and Sub-Rector all matters relating to the discipline of the College generally, and to assist them in the maintenance and advancement of morality and religion.

5. *The Lecturers.*

The Lecturers shall be appointed in the same manner as the Tutors, and their number and duties shall be regulated from time to time by the Educational Council.

6. *The Bursars.*

The Bursars shall diligently administer such portion of the Finances as the College shall entrust to their care; they shall see that due economy is observed in the Buttery and Kitchen departments, and shall be accountable to the College for all Caution Money received or returned during their tenure of office, and for the Battels of all Members, whether on the foundation or otherwise. They shall also assist the Rector in the management of the College estates, and shall, if the Rector see fit, and with the consent of the College, receive, or assist the Rector in receiving, all rents, tithes, fines, and other payments; and shall twice during their year of office submit their accounts to be audited by the Rector, or in his absence the Sub-Rector, and at least three of the Fellows, whom the College shall appoint as most competent to perform this duty.

7. *The Catechist.*

The Catechist shall preach so many Sermons in the College Chapel in full Term, as the Educational Council may from time to time enjoin. The Rector nevertheless shall have the right of preaching there on alternate Sundays, if he so see fit.

8. *The Chaplain.*

The Chaplain shall always reside during Term, so long as there shall be Service in the College Chapel, and under direction of the Rector conduct the Daily Service, or so much thereof as the Rector shall assign to him. He shall also under the sanction of the Rector watch over the moral and religious conduct of the servants, especially of the younger portion of them, and shall give them catechetical or such other instruction, as in his judgment they shall severally require.

9. *The Dean.*

The Dean shall present Candidates for Degrees.

10. *The Hebrew Lecturer.*

The Hebrew Lecturer shall give instruction in the Hebrew language so often and to such members of the College as the Educational Council shall appoint.

11. *Payments to the Tutors and other Officers.*

The College shall from time to time regulate the Fees to be paid to all or any of these officers.

12. *Deprivation of Officers.*

The Rector, with the consent of the College, has the power to dismiss any of the above officers.

STATUTE V.

OF THE SCHOLARS AND EXHIBITIONERS.

1. *The Number of Scholars.*

Subject to the provisions of Statute I. and to the subsequent provisions of this Statute, the number of Scholars shall be twenty-two; of whom ten, to be called Open Scholars, are eligible from all British subjects: ten, to be called Stapledon Scholars, from all persons born in the present diocese of Exeter, or from persons educated for at least three years last past in some school within that diocese: and two, to be called King Charles the First's Scholars, from all persons born in the

islands of Guernsey or Jersey, or the islands adjacent to them, or educated for the two years last past either at Victoria College in the island of Jersey, or Elizabeth College in the island of Guernsey.

2. *Mode of Election, and Qualifications of Scholars.*

There shall be an election (subject to the conditions hereinafter mentioned) of two Open and two Stapledon Scholars annually, on such days as the Educational Council of the College shall appoint. Notice of such election shall be given by the Rector, or in his absence by the Sub-Rector, in the way which in his judgment will best secure publicity, at least twenty days before such day of election. The election of King Charles the First's Scholars shall be regulated with reference to the elections on the same foundation at Pembroke and Jesus Colleges, and on Bishop Morley's foundation at Pembroke College, in such a manner, that the elections on the three foundations shall recur at as regular intervals as possible. None shall be eligible to any of the College Scholarships but members of the Church of England, or some Church in communion with the Church of England, who have not at the day of election completed the twentieth year of their age.

No person shall be admitted as a candidate who shall not produce testimonials of his moral character, which shall be satisfactory to the Rector, or in his absence the Sub-Rector.

The Scholars shall be elected after an examination in such subjects as the College shall from time to time determine.

The election shall be vested in the Educational Council of the College, provided that no person shall vote at any election who shall not have taken part in the previous examination.

In case no candidate duly qualified in the judgment of the electors shall present himself for any Stapledon Scholarship or Scholarships, or for any of King Charles the First's Scholarship or Scholarships, it shall be lawful for the electors to elect to such Scholarship or Scholarships from the unsuccessful candidates for the Open Scholarships, if there be any duly qualified; or, if not, a second examination shall be held at

such time as the College may deem convenient, at which the said Scholarship or Scholarships shall be entirely open. In case no candidate duly qualified presents himself for the Open Scholarship or Scholarships, it shall in like manner be lawful for the electors not to elect thereto; and in such case a second examination shall be held, as above directed in the case of King Charles the First's and the Stapledon Scholarships. Provided, that in case of such postponement of election, every Scholar elected at such second examination shall vacate his Scholarship at the time at which he would have vacated it, if he had been elected at the preceding usual day of election.

3. *Tenure of Scholarships.*

The Scholarships on King Charles the First's foundation shall be tenable for five or seven years, as the College, having regard, as far as may be, to the arrangements made by Pembroke and Jesus Colleges, shall determine. The other Scholarships shall be tenable for five years, and no longer. All the Scholars shall reside during the usual University Terms, unless such residence be dispensed with, for reasons to be approved by the Educational Council of the College. The power of deprivation of the Scholars shall be vested in the College, subject however to an appeal to the Visitor. If any Scholar be elected to a Fellowship in this or any other College, his Scholarship shall *ipso facto* determine.

4. *Payment of Scholars.*

Subject to the power of alteration herein-after contained, the Open and Stapledon Scholarships shall be each of the annual value of fifty pounds, or as near that amount as the revenues for the time being applicable for the purpose under Statute IX. shall allow. Provided always, that it shall be lawful for the College to increase the value of such Scholarships, or any one or more of them, from other available sources, as may be deemed expedient; and with consent of the Visitor, to increase or diminish the number or value, or number and value of the said Scholarships, or any of them, according as the amount of the said proportion of revenues shall render expedient. Provided also, that if the number of Scholarships be at any time diminished, the diminution shall

affect equally the Stapledon and Open Scholarships. In case the said proportion of revenues shall become more than sufficient for the Scholarships for the time being, the surplus shall form a Scholarship fund, to accumulate either for the increase of Scholarships, or for rewarding deserving members of the College.

The King Charles the First's Scholarships shall be each of the annual value of sixty pounds, or as near that amount as three fourths of the rental and interest of the property for the time being belonging to this foundation shall allow. Provided also, that it shall be lawful for the College at any time to increase the number of the said Scholarships, as the said three fourths of the rental and interest for the time being may render expedient. A set of rooms shall always be set apart rent free for one or other of these Scholars, but whether for the Senior or Junior, and for what tenure, the College may determine.

In every case, the Scholar shall be considered such, and the payments to him as such shall be reckoned, from the date of his election.

OF THE EXHIBITIONERS.

There being certain Exhibitions belonging to the College, viz. two founded by the Rev. Thomas How, two founded by William Gifford, Esq., one by Mrs. Symes, and one by Mr. Michell, the persons eligible to these Exhibitions shall be as follows:—

To the How Exhibitions, in the first place, persons being of kin to the Founder; in default of any such kin appearing, sons of Clergymen of the Church of England resident in the counties of Somerset or Devon; on failure of candidates from the said counties, sons of Clergymen of the Church of England, without limitation of locality.

To the Gifford Exhibition, in the first place, persons educated at Ashburton school; or in failure of such, persons born or educated in the county of Devon; or on failure of such, all British subjects.

To the Symes Exhibition, in the first place, persons born or educated in the counties of Somerset or Dorset; or on failure of such, all British subjects; provided that in all cases

the Symes Exhibitioner be a person intending to take Holy Orders in the Church of England. And the Rector and Fellows shall examine the said Exhibitioner, touching such intention to take Orders, as soon as he has taken his Bachelor of Arts degree; and if he shall decline to commence the study of Divinity at that standing with a view to take Holy Orders, the Exhibition shall thereupon become vacant *ipso facto*.

To the Michell Exhibition, all members of the College, being members of the Church of England, and applying themselves to the study of Divinity.

In all cases, the candidates shall be examined in such subjects as the Educational Council shall appoint; and no candidate shall be elected, who shall not in the judgment of the said Council be duly qualified, though it is not required that he should be equal in attainments to the Scholars of the College. The candidates shall present testimonials of moral character, as in the case of candidates for the Foundation Scholarships, and also satisfactory certificates of their need of assistance at the University; and no candidates shall be admitted but such as in the opinion of the electors require such assistance.

The Exhibitions shall be tenable, subject to the above conditions, severally as follows:

The How Exhibition, until such time as the Exhibitioner shall be of standing sufficient to take the degree of Master of Arts.

The Gifford Exhibition, for four years.

The Symes Exhibition, for eight years.

The Michell Exhibition, until the end of the eighteenth Term from the time of the Exhibitioner's matriculation.

The day of election for Exhibitioners shall be fixed from time to time by the Educational Council.

All Exhibitions shall be vacated by non-residence, (unless the College in any special case shall determine otherwise,) or by the election of the Exhibitioner to a Fellowship or Scholarship in this or any other College.

The power of deprivation of the Exhibitioners shall be vested in the College, subject to an appeal to the Visitor.

STATUTE VI.

THE ADMISSION OF COMMONERS.

Commoners shall be admitted by the Rector, (or in his absence by the Sub-Rector,) with the consent of the College. Each candidate for admission shall present satisfactory testimonials of moral character. And none shall be admitted to matriculation, but such as shall have been examined and approved, in respect of intellectual sufficiency, by the Educational Council.

All Scholars, Exhibitioners, and Commoners, shall on their admission to the College deposit reasonable caution money, and pay such reasonable Fees to the officers of the College, as the College shall from time to time appoint.

STATUTE VII.

DIVINE SERVICE IN THE COLLEGE CHAPEL.

Divine Service, according to the Liturgy of the Church of England, shall be performed in the College Chapel every morning and evening during full Term, and at other times of the year, on such days and hours as the College shall determine; and all members of the College shall be required during residence to attend such Service, except in any special case attendance be dispensed with, for causes to be approved by the College.

STATUTE VIII.

STUDIES AND DISCIPLINE OF THE COLLEGE.

1. *Studies.*

The studies of the undergraduate members of the College shall be arranged by the Educational Council, as provided in Statute IV.

2. *Discipline.*

The discipline of the College is specially committed to the Rector, Sub-Rector, and Tutors. Every member of the College, whether on the foundation or otherwise, under the degree of Master of Arts, shall conform to all the regulations of the College respecting Divine worship, instruction, and discipline.

The Rector, Sub-Rector, and Tutors, shall have the power of removing from the College books the name of any Undergraduate or Bachelor of Arts of the College, not being Fellow, Scholar, or Exhibitioner. The name of any member of higher degree than Bachelor of Arts not being a Fellow, may be removed from the College books by the College. No person shall in any case be presented for any degree, unless he shall have been approved by the Rector, (or in his absence the Sub-Rector,) and three Fellows at least, as a person qualified in moral character to be admitted to a University degree.

STATUTE IX.

DIVISION OF REVENUES, MANAGEMENT OF PROPERTY, &c.

1. *Division of Revenues.*

Whereas heretofore the College has consisted of a Rector and twenty-five Fellows, and the stipends received by them have been much below those usually received by the Heads and Fellows of other Colleges in the University; and whereas it has now been determined to diminish the number of Fellows to fifteen, and to apply the proceeds of eight Fellowships to the foundation of a certain number of Scholarships, and to divide the proceeds of two other Fellowships among the Rector and Fellows; so soon as this Statute shall fully take effect, the Domus Fund shall be constituted and applied, and the Room-Rent Fund appropriated, and the revenues and income derived from property now belonging to the College, and which revenues and income have been either wholly divisible among the Rector and Fellows, or partly

divisible among the Rector and Fellows, and partly carried to the Domus Fund, or wholly carried to the Domus Fund, shall be apportioned and distributed as follows.

The proceeds of the property left for the foundation of King Charles the First's Fellowship shall, from and after the next vacancy, and subject to the payment of one fourth of such proceeds to the College, to be divided as the other College revenues, constitute a separate fund for the foundation of two Scholarships at least, to be regulated by the provisions of Statute V.

Of all room rents, a proportion of thirty per cent shall be set apart; and of all other revenues and income derived from property now belonging to the College, and which revenues and income have been either wholly divisible among the Rector and Fellows, or partly divisible among the Rector and Fellows and partly carried to the Domus Fund, or wholly carried to the Domus Fund, inclusive of the one fourth payable to the College from the proceeds of the foundation of King Charles the First, a proportion of sixteen per cent shall be set apart; and the proportions so set apart shall be known as and constitute the Domus Fund, and, subject to the charges in favour of the Rector under Statute II., and in favour of the Resident Fellows under Statute III., be applicable to the public purposes of the College; provided that the College may at any time, or from time to time, increase the amount of such percentages, or either of them, or, but in this latter case only with consent of the Visitor, diminish the amount of such percentages, or either of them.

The remainder of the said revenues and income, (except room rents,) inclusive of the one fourth payable as aforesaid, shall be divided into twenty-six equal parts, whereof seven shall be carried to a separate account, and be known as and constitute the Scholarship Fund; and the remaining nineteen twenty-sixths shall be divided into seventeen shares, of which the Rector shall receive two shares, and the fifteen Fellows one share each. Any money remaining undisposed of, owing to the vacancy of a Fellowship, shall be divided among the Rector and remaining Fellows, the Rector receiving two shares. The remainder of the room rent, (after deducting the percentage as above mentioned,) shall be divided as follows; one

moiety to the Rector (according to the provisions of Statute II.), and the other moiety to secure to such of the Fellows as are resident, and to one of King Charles the First's Scholars, rooms rent free. The surplus, if any, shall be apportioned and distributed as the College shall from time to time appoint. Provided that if from increase in the value of the property, or from addition to it, the average annual income of the Fellowship shall ever exceed three hundred pounds, the College shall submit for the approbation of the Visitor a scheme for the employment of such excess.

For such room-rent percentage, and for the payment of a moiety of the room rent to the Rector, after such percentage is deducted, the room rents shall always be calculated as if all occupants of rooms, whether Fellows or others, paid for their rooms in full.

2. *Management of Property.*

The Annual Audit shall take place as heretofore on the morrow of the Feast of All Saints, not being Sunday, when an exact statement of all sums received or expended by the Rector on behalf of the College shall be submitted to three Fellows, whom the College shall appoint to examine the same; and if approved, the statement shall be subscribed by his and their hands.

The Rector shall use the utmost vigilance in the management of the College estates, and shall not let any estate on lease or otherwise, nor undertake any work for the improvement of the College lands or buildings, without the consent of the College, except for such amount as the College shall by any resolution entrust to his sole discretion.

At least once in three years the principal College estates shall be visited by the Rector, (unless he shall be excused for some grave cause, to be approved by the College,) and three or more Fellows of the College. It shall be the duty of one of the visiting Fellows to submit to the College, within two months after his visit, a short report of the College farms and buildings, and make a schedule of such repairs or improvements as may be necessary or expedient.

STATUTE X.

COLLEGE MEETINGS, AND THEIR POWERS.

The governing body of the College shall consist of the Rector and all those duly admitted to actual Fellowship after their year of probation. And wheresoever throughout these Statutes powers are conferred on the College, the word College shall be taken to mean the said governing body. And all matters affecting the College, with the exception of those specially reserved by Statute to the Rector or Sub-Rector, or other officer, or to the Seniority of Masters of Arts for the special purpose of election of certain officers as provided for by Statute IV. or to the Educational Council, shall be referred to the decision of such governing body, and be determined by the majority of those present at the meeting of the College. The Rector, or in his absence the Sub-Rector, shall give notice of all College meetings to the Resident Fellows of the College; and on all questions of greater moment, to the Non-resident Fellows also, whom he is empowered, and on demand of any three of the Fellows bound, to convoke by peremptory citation; and all such Fellows as shall fail to attend on such citation, without a sufficient cause, to be approved by the College, shall be punishable at the discretion of the College by pecuniary penalties not exceeding one fourth of the annual income of their Fellowships, and such penalties shall be paid to the Domus Fund. Contumacy in this respect shall be punishable by the Visitor with deprivation.

The Rector, or in his absence the Sub-Rector, shall also be bound to convoke a College meeting, whensoever he shall be requested so to do by two Fellows of the College; and to put any motion, then brought forward and duly seconded, to the vote.

All College Orders and Bye-laws, not being contrary to or inconsistent with the College Statutes, which shall have been duly passed at any College meeting, shall bind the Rector and all Fellows of the College individually, and likewise (so far as they shall concern them) all Scholars. Com-

moners, and Exhibitioners, and all other members of the Society.

No College Order or Bye-law which affects the Rector shall be passed in his absence, until the College shall have consulted him on the subject by letter.

For the purposes of ordinary administration, the Rector, or in his absence the Sub-Rector, and three Fellows, shall constitute a College meeting, and shall have power to use the College Seal.

STATUTE XI.

THE VISITOR.

The Bishop of Exeter for the time being (to whose supervision and protection the College was committed by Bishop Stapledon, and by Sir W. Petre) is *ex officio* the Patron and Visitor of Exeter College.

To the Visitor belongs the interpretation of all doubts as to the meaning and construction of the Statutes; and his interpretations, expositions, and declarations of that meaning or construction shall be final, and unquestionable by any member of the Society.

The Visitor is the Judge Ordinary, to whom appertains the decision of all causes whatsoever within the College, whether between the College and any of the Rector and Fellows, or between the Rector and any of the Fellows, or between any of the Fellows among themselves.

It shall be competent to the Visitor in all such cases, with the consent of the College, and of both the parties in the case, to adjudicate between them in writing, and without being personally present within the College.

It shall also be competent to the Visitor to determine such cases by any Commissary, learned in the law, whom he shall depute thereunto; whose reasonable expenses the College shall defray. The College shall also defray the reasonable expenses of the Visitor's Assessor, should his Lordship visit in person.

In all cases of criminal irregularity and violation of the

Statutes, where the Visitor's corrective jurisdiction shall be called in, the Visitor is armed with full powers to call on all members of the foundation not criminated, to give evidence on oath; and is also empowered to do all things necessary for the full and fair investigation of the truth, and for the due and statutable correction and punishment of all offences against the Statutes, or against good manners and religion; even though it be necessary to proceed to the deprivation of the Rector, or any of the Fellows.

The Visitor is charged with the general supervision of the College, in all points whatsoever affecting its interests, honour, and welfare, and with full power to reform and correct, at any Visitation ordinary or extraordinary, whatsoever shall be found to require correction.

The Visitor's ordinary visitation shall not be oftener than once in five years. He may hold an extraordinary visitation so often as he shall be called on by the College.

He may also from time to time, not oftener than once in five years, demand from the College a general statement in writing of the condition of the College on the several points specially committed to his supervision by the Founder, viz.—

1. The observance of the Statutes.
2. The state of discipline and study.
3. The condition of the College property.
4. The security of the rights, and liberties, and privileges of the College.

In case the Rector should, through severe and permanent ill health, be incapacitated for the due administration of the affairs of the College, the Visitor may, on petition presented to him by a majority of the Fellows, entrust to the Sub-Rector all or any of the powers which are by the force of these Statutes conferred on the Rector.

It shall be competent for two thirds of the governing body of the College to amend or add to the present Statutes, with the consent of the Visitor.

STATUTE XII.

The number of Fellowships shall be reduced from twenty-five to fifteen as soon as conveniently may be, regard being

had to the educational requirements of the College; and the new provisions in these Statutes, relative to the number of Fellows and Scholars, and the apportionment of their incomes, and that of the Rector respectively, shall fully come into operation, when the number of Fellowships shall have been so reduced to fifteen. The two last Fellowships to be suppressed shall be those, the revenues of which are to be divided among the Rector and Fellows.

All former Statutes, and all Decrees or Injunctions of Visitors, are repealed, except as they affect interests saved by the Act of the 17th and 18th Victoria, c. 81.

These Regulations and Ordinances have been made by us, the Rector and Scholars of Exeter College, for the Amendment of the Statutes of the same College, under the powers conferred by the 17th and 18th Victoria, cap. 81., and are submitted to the Commissioners appointed by the same Statute for their approval. In witness whereof we, the Rector and Scholars, have hereunto affixed our Common Seal, this ninth day of October, in the year of our Lord one thousand eight hundred and fifty-five.

L. S.

Laid before us, the said Commissioners, this Ninth day of October, one thousand eight hundred and fifty-five, and approved under our Common Seal.

L. S.

ORDINANCE

CONCERNING

ORIEL COLLEGE.

ORDINANCE

CONCERNING

ORIEL COLLEGE.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to "make further Provision for the good Government and Ex- "tension of the University of Oxford, of the Colleges therein, "and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Oriel College in the said University:—

1. No person shall be incapable of being elected Provost of the said College by reason of his not being or not having been a Fellow of the College. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being,) who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education. The election of a Provost may on every vacancy be held at any time not less than twenty days nor more than three months after the vacancy shall have become known. That person for whom the greatest number of the electors present shall have voted, shall be deemed elected. In case of an equality of votes, the Dean, or in his absence, the senior Fellow present, shall have a casting vote.

2. The Provost and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Provostship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues, and may fix the time at which such commutation shall take

effect, and may also from time to time regulate, increase, or diminish the Provost's emoluments, whether commuted or uncommuted, as they shall think proper: Provided that no exercise of this power shall affect the person then being Provost without his consent: Provided also, that the Lord Chancellor, upon the petition of the Provost, or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

3. If at any time it shall appear that the Provost has become permanently incapable of performing the duties of his office, the Dean shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Lord Chancellor, setting forth the circumstances of the case, and praying him to inquire into the truth of them. And if upon such inquiry, or upon a petition presented by the Provost, (as the case may be,) it shall appear to the satisfaction of the Lord Chancellor that the Provost has become permanently incapable of performing his duties, then it shall be lawful for the Lord Chancellor to nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Dean, shall be presented to him, to be Vice-Provost of the College, and to assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one third) of the Provost's emoluments as the Lord Chancellor shall think fit; provided that the Provost shall be at liberty to retain his lodgings. And such Vice-Provost shall, so long as the Provost shall retain his office, and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Provost, except the power of consenting to any commutation, regulation, or diminution of the Provost's emoluments, and shall be liable to deprivation for the same causes and in the same manner. If any Vice-Provost shall die, resign his office, vacate, or be deprived of his Fellowship, or become incapable, it shall be lawful for the Lord Chancellor to appoint a new Vice-Provost in the same manner. It shall

be lawful for the Lord Chancellor, if at any time he shall be satisfied that the Provost's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

4. In elections to Fellowships within the College, no person shall be either entitled to preference or ineligible by reason of his place of birth, or by reason of any Statute or rule limiting the number of Fellowships tenable at any one time by natives of the same town, city, county, diocese, or other place, or by reason of his pecuniary circumstances; and no person shall be ineligible by reason of his being in Holy Orders, or of his not having determined; Provided that no person shall be eligible who shall not have taken the degree of Bachelor of Arts in some University in Great Britain or Ireland, or who shall have attained the age of twenty-six years, or who shall be in possession of any benefice, property, pension, or office, which, if acquired after election, would have disqualified him for continuing a Fellow.

5. Thirty days at least before the day of election to a Fellowship, notice of every intended election, of the number of the vacancies to be filled up, and of the conditions of election, shall be given by the Provost in such manner as he shall deem best adapted to secure publicity.

6. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University of Oxford as the Provost and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible from time to time to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the Provost and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

7. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled, either by descent or devolution, or by virtue of any testamentary or other gift or settle-

ment, to property, or to any government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls,) clear of deductions (except for property or income tax,) shall exceed Three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources, (including or not including a benefice with cure of souls,) clear of deductions as aforesaid, shall exceed twice the annual value of a Fellowship on an average of the seven years then last past, vacate his Fellowship at the expiration of such twelve calendar months, and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall in this clause include any estate or interest in possession in any property, real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property, or any of such sources of income shall have been acquired, shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

8. Every Fellow who shall marry shall vacate his Fellowship at the expiration of twelve calendar months from the day of his marriage.

9. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes, and although they may have attained or exceeded the age of twenty-six years, and although the persons elected

be married, and although they be in possession of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and although they may not have taken the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

(*a*) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the Provost and all the Fellows shall have been given.

(*b*) Any Principal of a Hall within the University, not being a Private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree either by diploma, or by decree of Convocation, or any honorary degree, provided that two thirds of the votes of the Provost and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid.

10. The election in such excepted cases shall always be held more than thirty days before the usual day of election, and the electors may at the time of election determine the rank which the person elected shall hold in the College, without reference to the date of his election; provided that such rank shall confer no other than honorary privileges; provided also that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

11. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office, which would in ordinary cases disqualify him for continuing a Fellow, may nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Provost and all the Fellows, or, if he shall be Principal of any Hall (not being a Private Hall), by two thirds of the votes of the Provost and all the Fellows: provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

12. Any Fellow elected under Clause 9, or retained under Clause 11, shall (except in the case herein-after mentioned) be

deemed entitled to hold his Fellowship, although he may afterwards marry or become possessed of any property, pension, or office, or of any benefice (not being a benefice in the gift of the College, the possession of which would in ordinary cases be incompatible with the retention of a Fellowship).

13. Any person elected under Clause 9, or retained under Clause 11, and being a Professor or Public Lecturer within the University, who at the time of his election or retension shall hold a benefice with cure of souls, and who shall continue to hold such benefice for six calendar months afterwards, shall thereby vacate his Fellowship; and no person elected or retained under either of the said Clauses shall by virtue thereof be enabled to hold with his Fellowship any benefice in the gift of the College, the possession of which would in ordinary cases be incompatible with the retention of a Fellowship. Every Professor, Public Lecturer, or Principal of a Hall, elected or retained under either of the said Clauses, who shall cease to hold such Professorship, Public Lecturership, or Principalship, and every Professor or Public Lecturer elected or retained as aforesaid, who shall be instituted to any benefice with cure of souls, shall thereby vacate his Fellowship.

14. It shall be lawful for the Provost and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Provost and Fellows shall, by resolution, from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Provost and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

15. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University, shall thereupon vacate his Fellowship.

16. The provisions respecting the residence of Fellows, and the mode of granting leave of absence from the Uni-

versity, contained in the existing Statutes shall be henceforth void. The Provost and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows within the University, and respecting the mode in which, and the conditions under which, leave of absence may be granted to any Fellow, as they may deem expedient for the interests of the College as a place of learning and education; and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Provost and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the members of the College.

17. Every Fellow shall be required to take either the degree of Master of Arts, or the degrees of Bachelor and Doctor of Civil Law, or those of Bachelor and Doctor of Medicine, within one year after the time at which he shall be of sufficient standing to take those degrees respectively by the Statutes of the University, and in case of non-compliance shall vacate his Fellowship: Provided that the Provost and Fellows may, whenever they shall deem it just or expedient to do so, allow the taking of any such degree to be postponed for a period not exceeding, except in case of unsoundness of mind, one additional year. Subject to this provision, no Fellow not being in Holy Orders shall by reason of anything in the existing Statutes be required as a condition of retaining his Fellowship to study or graduate in any particular faculty, and no Fellow being in Holy Orders shall be required to study or graduate in any faculty other than Theology.

18. No present or future Fellow shall be bound, as a condition of retaining his Fellowship, to enter into Holy Orders. But, if at the time of holding an election to a Fellowship there shall not be five Fellows in Holy Orders, no person shall be eligible to such vacant Fellowship who shall not then be a Priest or Deacon of the United Church of England and Ireland. A person, being such Priest or Deacon, may in that

case be elected, notwithstanding his having attained or exceeded the age of twenty-six years.

19. No Fellow shall be disqualified for retaining his Fellowship by reason of permanent or incurable sickness or infirmity.

20. The election to the first Fellowship which shall become vacant after this Ordinance shall have been approved by Her Majesty in Council, shall be suspended for a period not exceeding ten years from the time at which it would, but for such suspension, have taken place; and the emoluments of such Fellowship, during the suspension, shall be applied in such manner as the Provost and Fellows shall determine, in maintaining, augmenting, or establishing Scholarships within the College.

21. The third Fellowship which shall become vacant after the approval aforesaid shall not be filled up, and the emoluments thereof shall be paid to the Regius Professor of Modern History for the time being, provided he shall reside within the University for six months between the First day of October in every year and the First day of the next ensuing July. Any Professor failing to reside during that period shall forfeit one year's payment of the said emoluments, unless leave of absence shall have been granted to him on account of sickness or for any other very urgent cause, by or by authority of the University. It shall be lawful for the Provost and Fellows, at any time within five years after the time at which the said Fellowship would, but for this clause, have been filled up, to commute the emoluments of the same for a fixed annual sum of Two hundred and fifty pounds, payable out of the corporate revenues of the College. The Provost and Fellows may at any time, if they shall think fit, restore the said Fellowship without prejudice to the annual payment of the sum of Two hundred and fifty pounds to the purposes above mentioned. The Provost and Fellows may, if they shall think proper, elect the Professor to be a Fellow of the College without notice, examination, or probation; and although married, and although he may have attained or exceeded the age of twenty-six years, and although he may be in possession of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and although he may

not have taken the degree of Bachelor of Arts, provided he be otherwise qualified for election, and be not a Fellow of any other College within the University; but any Professor so elected a Fellow shall not be entitled in right of his Fellowship to any emoluments besides those herein-before made payable to him, nor if married to rooms within the College, or any allowance in respect of rooms, and if he shall cease to hold the Professorship shall vacate his Fellowship.

22. The election to the fifth Fellowship which shall become vacant after the approval of this Ordinance shall be suspended for so long a period as may seem necessary to the Provost and Fellows, and the emoluments of such Fellowship during the suspension shall be applied in such manner as the Provost and Fellows shall determine in establishing and maintaining Exhibitions within the College. From and after the vacancy of the said fifth Fellowship four Exhibitions shall be maintained within the College, to be called the Exhibitions of Adam de Brome, and to be filled up by the election of deserving persons whom the electors shall have ascertained to be in need of support at the University. Each Exhibitioner shall receive not less than Sixty pounds per annum out of the corporate revenues of the College (the emoluments of the said fifth Fellowship being, in the first place, applicable to that purpose), and shall be entitled to rooms within the College rent free. The Exhibitioners shall be elected by the Provost, Dean, and Tutors of the College, or the major part of them, with or without examination, and with or without public notice, as the electors shall think fit. The Exhibitions shall be tenable till the end of the twentieth term from that of matriculation inclusive, and no longer. It shall be lawful for the Provost and Fellows to regulate from time to time the elections to the said Exhibitions, with a view to securing a regular succession, and to suspend elections so often and for such periods as may be necessary for that purpose.

23. The emoluments of the Fellowships hereby directed to be suspended or not filled up shall be the sums which would in each year have been payable to the holders of the same if the same had been filled up, and if the persons elected had resided in the University during the period required of them by the Statutes and regulations of the College in force for the

time being. If any Fellowship or Fellowships shall be vacant at the time when this Ordinance shall be approved as aforesaid, such Fellowship or Fellowships shall, for the purposes of this Ordinance, be considered as having become vacant immediately after such approval.

24. The Provost and Fellows shall not be bound, by virtue of anything contained in the existing Statutes, to increase the number of Fellows above seventeen. The number of Fellowships within the College shall never be less than seventeen (inclusive of suspended Fellowships but exclusive of any Fellowship held by the Regius Professor of Modern History under the power conferred by Clause 21), unless the Lord Chancellor shall think fit, on a petition in writing presented and subscribed by the Provost and not less than three fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Provost and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

25. The Provost and Fellows shall, once at least in every ten years, lay before the Lord Chancellor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Lord Chancellor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Lord Chancellor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than Three hundred pounds a year, (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances,) to direct, either that the number of Fellowships shall be increased, or that any part of

such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Provost and Fellows, with the approbation of the Lord Chancellor, shall determine.

26. Ten Scholarships shall always be maintained within the College, or more, if the Provost and Fellows shall think fit to increase the number; and each Scholar shall receive not less than Sixty pounds a year out of the corporate revenues of the College, and shall be entitled to rooms within the College, rent free.

27. No person shall be eligible to a Scholarship who shall have attained the age of twenty years, or who, being a member of the University, shall have exceeded two years from his matriculation. And every candidate shall be required to produce testimonials of his moral character satisfactory to the Provost.

28. The Scholars shall be elected by the Provost and Fellows after an examination of the candidates in such subjects, and conducted in such manner, as the Provost and Fellows shall determine; and that candidate shall be elected who after such examination shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

29. The election of Scholars shall take place on a stated day in each year to be appointed by the Provost and Fellows (subject to the provision for postponement herein-after contained); and notice of such intended election shall be given by the Provost in such manner as he shall deem best adapted to ensure publicity thirty days at least before the day of election.

30. The Scholarships shall be tenable for five years, and no longer; and the Provost and Fellows shall not be required to elect to more than two Scholarships in any one year.

31. No person shall be incapable of being elected Bishop Robinson's Exhibitioner by reason of his not having determined or not having taken the degree of Bachelor of Arts; and no person shall be ineligible by reason of his not having been entered and kept his ordinary residence in the College

from his first entrance in the University, provided he be a Scholar or Exhibitioner of the College.

32. Every Bishop Robinson's Exhibitioner who shall reside in the University six weeks at least in each Term (Easter and Trinity Terms being for this purpose considered as one Term), shall be entitled to receive the whole of his allowance, although he may have been absent from the University more than sixteen weeks in the year. And any Bishop Robinson's Exhibitioner who shall fail to reside during those periods shall thereby forfeit his Exhibition. Provided that it shall be lawful for the Provost, the Dean, and the three senior Fellows in residence for the time being, or the major part of those five, to grant leave of absence from the University to any Exhibitioner, so often and for so long as they may think fit.

33. Every Scholar or Exhibitioner who shall marry, or shall be elected to a Fellowship in any College within the University, or shall cease to be a member of the College, shall thereby vacate his Scholarship or Exhibition.

34. Every Scholar and Exhibitioner shall be subject to such regulations as to residence, instruction, discipline, and attendance on Divine worship, as the Provost and Fellows shall from time to time determine, and may be deprived of his Scholarship or Exhibition by the Provost and Fellows for any misconduct which shall in their judgment deserve deprivation, subject to such right of appeal as is herein-after provided.

35. The Provost and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves, or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

36. The power of depriving Fellows for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Provost and Fellows, and shall be exercised by the vote of the major part of the Provost and all the Fellows, subject only to such appeal to the Lord Chancellor as is herein-after provided: Provided, that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

37. Whenever there shall be no duly qualified candidate for a vacant Fellowship or Scholarship whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant, and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to some other day, to be fixed by the Provost and Fellows for the purpose, not later than the next ensuing stated day of election, in the case of a Fellowship of Fellows, and in the case of a Scholarship of Scholars; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

38. The Provost and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Provost and Fellows shall think proper: Provided that it shall be lawful for the Lord Chancellor, upon the petition of the Provost or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided also, that the Provostship shall not be deemed an office within the meaning of this clause.

39. The Provost and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Provost and Fellows may, at any ordinary meeting or meetings, make provisional regulations for

the same purposes. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

40. In case the Provost or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland as by law established, such contumacious ceasing to conform shall be a cause for depriving the Provost of his Provostship, and any such Fellow of his Fellowship.

41. The oaths prescribed by the existing Statutes shall not hereafter be taken; but every person elected or admitted to any place or office on election or admission to which an oath is now required, shall at the time of his election or admission, make a declaration to the effect that he will faithfully perform the duties of such place or office, and obey the Statutes and Bye-laws of the College in force for the time being, so far as they may concern him.

42. There shall be two stated general meetings at least of the Provost and Fellows in every year, on such days as the Provost and Fellows shall from time to time appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. Except in cases in which the concurrence of any specified proportion of the Provost and Fellows, or the consent of the Provost, is hereby made requisite, every question arising at any College meeting shall be decided by a majority of the votes of those present. In all College meetings, elections, and admissions, and in the deprivation of Fellows, Scholars, and Exhibitioners, the Provost shall, if the votes are equal, have an additional casting vote. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be void: Provided that the Provost and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall think proper.

43. The power which is given by the existing Statutes to

the Dean to act in place of the Provost, and the power of any officer of the College who may hereafter be authorized by any Statute or Bye-law to act in place of the Provost, shall be deemed to extend to all the acts which the Provost is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Provost's emoluments.

44. The particular provisions of the existing Statutes respecting the subjects of study within the College; and respecting the dress, conversation, and other personal habits of its members; and respecting the meals of the members of the College, and the mode of conducting the same; and respecting the inquiries to be made into the life and conduct of the members of the College, and the mode of making the same; and respecting the punishments for offences not being such as require deprivation; and respecting the service of the College; and respecting the inspection of the estates and other matters relating to the supervision of the property of the College, shall be void. The Provost and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions or any of them are intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Lord Chancellor on the part of any person who may deem himself aggrieved thereby, as is herein-after provided.

45. The power given by the existing Statutes to the Provost and ten or eight senior Fellows, of making Statutes, Rules, or Bye-laws, shall not hereafter be exercised.

46. If in any case it shall appear to the Lord Chancellor that, by reason of any change in the value of money, any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for him from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be

substituted for and stand in the place of the sum originally fixed as aforesaid.

47. It shall be lawful for the Visitor once in every ten years (or oftener, if and whenever it shall appear expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. The Provost and Fellows shall, so often as they may be required to do so, answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of ascertaining whether the Statutes in force for the time being are duly observed.

48. As often as any question shall arise on which the Provost and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the Provost and Fellows, or for the Provost or any three of the Fellows, to submit the same to the Lord Chancellor; and it shall be lawful for him to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

49. It shall be lawful for the Provost or for any Fellow if he shall conceive himself aggrieved by any act or decision of the Provost and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act or decision or sentence to the Lord Chancellor; and it shall be lawful for the Lord Chancellor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence, as he shall deem just.

50. It shall be lawful for the Lord Chancellor, on the complaint of the Provost or of any of the Fellows, to disallow and annul any bye-law or resolution of the Provost and Fellows which shall, in his judgment, be repugnant to any of the Statutes of the College in force for the time being.

51. The Provost and Fellows, by a majority consisting of not less than two thirds of the votes of those present, may from time to time, at any stated general meeting, subject to

the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor.

52. In the construction of this Ordinance the words "Lord Chancellor" shall mean the Lord High Chancellor of Great Britain, and shall include the Lord Keeper and Lord Commissioners for the custody of the Great Seal of Great Britain for the time being.

53. Wherever the words "the Fellows," or "the Provost and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows; and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

54. This Ordinance shall be without prejudice to the right of Her Majesty, Her heirs and successors, to visit the College, and to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal this Twenty-eighth day of March, one thousand eight hundred and fifty-seven.

L. S.

ORDINANCES

CONCERNING

QUEEN'S COLLEGE.

PAGE

1. Statutes of the Consolidated Foundation 151

2. Ordinance concerning Lady Elizabeth Hastings's Exhibitions ... 173

3. Ordinance concerning sundry other Exhibitions 177

ORDINANCES

CONCERNING

QUEEN'S COLLEGE.

Statutes of the Consolidated Foundation, framed by the Commissioners.

WHEREAS by an Act passed in the Seventeenth and Eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good "Government and Extension of the University of Oxford, of "the Colleges therein, and of the College of Saint Mary "Winchester," the Commissioners appointed for the purposes of the said Act were empowered to frame Ordinances and Regulations for effecting or promoting certain objects therein set forth:—

And whereas by an Act passed in the Nineteenth and Twentieth years of Her said Majesty's reign, intituled "An "Act to amend the Act of the Seventeenth and Eighteenth "years of Her Majesty concerning the University of Oxford "and the College of Saint Mary Winchester," it was enacted that the aforesaid power might be exercised notwithstanding anything contained in any Act of Parliament, Decree, or Order constituting wholly or in part an instrument of foundation or endowment, or confirming or varying any foundation or endowment, or otherwise regulating any College or Hall in respect of which any such power might be exercised:—

And whereas by an Act passed in the Twentieth and Twenty-first years of Her said Majesty's reign, intituled "An Act to continue the Powers of the Commissioners under "an Act of the Seventeenth and Eighteenth years of Her "Majesty concerning the University of Oxford and the Col-

" lege of Saint Mary Winchester, and further to amend the " said Act," it was enacted that it should be lawful for the said Commissioners to frame such Ordinance or Ordinances as might appear to them expedient for consolidating the foundation of John Michel, Esquire, in the Queen's College in the said University, with the foundation of Robert de Eglesfield, commonly called the Old Foundation, in the said College, and for vesting the endowments, lands, advowsons, and real and personal property vested in the Visitors of the said foundation of John Michel, or otherwise held for the benefit of such foundation, in the Provost and Scholars of the said Queen's College, and for placing the foundation so consolidated under the visitorship of the Lord Archbishop of York, the present Visitor of the Old Foundation of the said Queen's College, and for providing for the discharge of the duties of the Visitors of the foundation of John Michel as towards the existing Fellows, Scholars, and Exhibitioners of that foundation, and for establishing in respect of such consolidated foundation, and the emoluments, property, and income thereof, any such regulations as under the said Act of the Seventeenth and Eighteenth years of Her said Majesty's reign might be established in respect of a College of one foundation, and the property and income and College emoluments thereof:—

Now we, the said Commissioners, do, in execution of the powers given to us by the said several Acts, ordain as follows in relation to the Queen's College aforesaid:—

1. The foundation of Robert de Eglesfield (commonly called the Old Foundation of the College), and the foundation of John Michel, Esquire, therein, shall be and are hereby consolidated, subject to the provisions of this Ordinance; and the members of those two foundations or societies shall henceforth form one society, which shall be governed by the Statutes or Regulations herein-after contained, in lieu of the said several Codes or Bodies of Statutes which now govern them respectively.

2. Immediately after the approval of this Ordinance by Her Majesty in Council, the estates, funds, and endowments of John Michel's foundation (including advowsons and rights of presentation, and the part of the College buildings appro-

priated to that foundation) shall, together with those of the old foundation and of the foundations of Sir Francis Bridgman and Lady Margaret Hungerford, be vested in and thenceforth held and administered by the Provost and Fellows (otherwise called the Provost and Scholars) of the College in their corporate capacity. The said estates and endowments shall together form the estates and endowments of the College, and the revenues thereof the revenues of the College. It shall be lawful, however, for the purpose of preserving a distinction (as herein-after directed) between the emoluments to be enjoyed by the present members of the several foundations respectively, to keep, so long as it may be necessary to that end, separate accounts of the revenues now belonging to those foundations respectively.

3. The present Provost, and the present Fellows, Taberdars, Scholars, and Exhibitioners, of whatever foundation, shall severally, so long as they retain their respective places of emolument, be entitled to receive in respect thereof the same emoluments as if this Ordinance had not been made, and no more, except that the deduction hitherto made from the divisible income of the Michel foundation for the purchase of advowsons and other purposes shall henceforth be discontinued. The present Fellows of John Michel's foundation shall henceforth be called Michel Fellows, and (notwithstanding anything herein contained) shall, as regards the right to participate in the government and administration of the College and its property and affairs, and to be present and vote at any meeting whatever, and to take part in any election or admission, and as to eligibility to College offices, remain upon their present footing, and shall have in relation to the consolidated society no rights or capacities which they do not possess in relation to the College as now existing. Wherever the whole, or any specific number or proportion of the Fellows, or of the Provost and Fellows, are hereby required or authorized to do or concur in doing any act or thing, the computation shall be exclusive of present Fellows of that foundation.

4. The vesting of the advowsons and rights of presentation now held by the Visitors of John Michel's foundation in the Provost and Fellows of the College, shall be without prejudice to any such right or claim as the present members of

that foundation or any of them now have, or would or might have had, to be presented to any benefice now or hereafter to become vacant, if this Ordinance had not been made; and the duty or obligation (if any) with respect to presentations to such benefices, imposed upon the Visitors of that foundation by the Statutes and Acts of Parliament relating thereto, shall attach and be transferred to the Provost and Fellows of the College: Provided that no present member of the said foundation shall, by reason of his tenure of his emolument being extended or enlarged by this Ordinance, have any greater or other right or claim to be presented to a benefice than he would have had if this Ordinance had not been made. Present Fellows of John Michel's foundation shall not by virtue of the consolidation hereby directed have any right or claim to be presented to any benefice, the advowson or right of presentation to which is now vested in the Provost and Fellows of the College.

5. The directions of this Ordinance shall be without prejudice to the right (if any) of the present senior Taberdar of the old foundation to succeed or be elected to a Fellowship by virtue of an interest acquired before the passing of the first herein-before mentioned Act. Such person, if hereafter elected a Fellow by virtue of such a right, and Fellows elected under clause 37 of this Ordinance, shall stand on the same footing in all respects as if they had been in possession of their Fellowships at the time when this Ordinance shall take effect; and in the construction of this Ordinance the words "present Fellows" shall include such persons, and the words "Fellows hereafter to be elected" shall not include such persons.

6. Subject to the foregoing provisions the revenues of the College shall be applied, as they shall become available by the expiration of existing interests, to the maintenance of Fellows, Scholars, Bible Clerks, and Exhibitioners, hereafter to be elected, and to the other purposes herein-after mentioned. The ultimate appropriation thereof shall be as follows. They shall be charged with the maintenance (in lieu of the Taberdarships, Scholarships, and Exhibitions of the several existing foundations) of fifteen Scholarships, two Bible-Clerkships, and four Exhibitions to be called the Eglesfield Exhibitions,

within the College. They shall also be charged with the payment of an annual sum of Two hundred pounds towards maintaining and augmenting the Library of the College, and with the payment of a further annual sum of Two hundred and seventy pounds to the Sedleian Professor of Natural Philosophy for the time being. Subject to these charges, and to all other charges and outgoings, and without prejudice to the right of the Provost and Fellows to apply any part of such revenues to any corporate purposes, the consolidated revenues shall be divisible among the Provost and nineteen Fellows, in the proportions herein-after mentioned.

7. The said annual sum of Two hundred and seventy pounds shall commence and become payable as soon as three of the Fellowships now held by Fellows of the old foundation, to which there shall be no Taberdar entitled as aforesaid to succeed or be elected, shall have become vacant, the first payment to be made within one year after the third vacancy. The Sedleian Professor shall in respect of such annual payment be required to reside within the University for six calendar months at least between the Tenth day of October in every year and the First day of the next ensuing July. Any Professor failing to reside during that period shall forfeit one year's payment of the said sum, unless previous leave of absence, or a subsequent dispensation in respect of the default, shall have been granted to him, on account of sickness or any other very urgent cause, by or by authority of the University, and the payment so forfeited shall sink into the divisible revenues of the College. The Professor shall, if called upon to do so by the Provost and Fellows, act as an assessor in examining candidates for places of emolument within the College.

8. The said nineteen Fellowships, fifteen Scholarships, two Bible-Clerkships, and four Eglesfield Exhibitions shall be established as quickly as the amount of the revenues for the time being available will permit, but in such order and at such relative rate as the Provost and Fellows shall deem most expedient for the general interests of the College, except that of the Scholarships, Bible-Clerkships, and Exhibitions, taken collectively, three at least shall be established for each Fellowship until the whole number is complete; and except also that the first election to one of the Exhibitions shall be held within

a year after the first occurrence of a vacancy (not filled up by the election of a Taberdar entitled as aforesaid) in one of the Fellowships now held by Fellows of the old foundation, and one other of such Exhibitions shall be filled up in each of the three following years. No Fellow hereafter to be elected shall be entitled to receive more than Two hundred and thirty pounds *per annum* in respect of his Fellowship until the whole nineteen Fellowships, fifteen Scholarships, two Bible-Clerkships, and four Eglesfield Exhibitions, shall have been established.

9. Four of the Fellows shall always be called Michel Fellows. So soon as the number of the present Fellows of John Michel's foundation shall be reduced below four, and at all times thereafter, so many of the Fellows hereafter to be elected as may be requisite to complete that number, shall be called Michel Fellows; such Fellow or such Fellows shall be the Fellow or the Fellows who shall stand lowest in seniority from the time of his or their election as Fellows. Four of the Scholars shall always be called Michel Scholars, and three shall always be called Bridgman Scholars. The rest of the Scholars shall be called Taberdars. The Bridgman Scholars shall be the three Scholars lowest in seniority from the time of their election as Scholars. The Michel Scholars shall be the four Scholars next above the three Bridgman Scholars in seniority from the time of their election. Provided that existing Scholars of John Michel's foundation, so long as they shall continue Scholars, shall for the purposes of this clause be considered as of the number of the said four Scholars.

10. The Archbishop of York for the time being shall be the Visitor of the College, in whom shall be vested, solely and exclusively, the whole visitorial jurisdiction over the College and every member thereof; and all the power, jurisdiction, and authority heretofore possessed by the Visitors of John Michel's foundation shall forthwith cease and determine.

11. The election of the Provost shall be vested in the actual Fellows of the College, being graduates.

12. The Provost shall be a person of unblemished character, a Master of Arts or a Doctor in Theology, Law, or Medicine, and a Priest of the United Church of England and Ireland. The electors shall choose that person (being so

qualified) who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education.

13. As soon as may be on the occurrence of a vacancy in the Provostship, the senior Fellow then in residence shall call a meeting of the Fellows then resident, and qualified to vote in the election of a Provost, to fix a day for the election of a new Provost, which day shall not be less than fifteen nor more than forty days after such meeting. Notice of the intended election and of the day of election shall be affixed by the senior Fellow present at the meeting to the door of the Chapel of the College. The votes shall be taken by the senior Fellow present on the day of election; and that person for whom an actual majority of the electors present shall have voted, or for whom, if the votes of all of them shall be equally divided between two persons, the senior Fellow present shall have voted, shall be declared elected. But if there shall be no person who under the foregoing provision can be declared elected, the senior Fellow shall again take the votes of the electors, having first announced the name of the person for whom the smallest number of electors shall have voted, or, if there shall be two or more persons for whom an equal number shall have voted, and another who shall have obtained a larger number, then the name of that one of the said two or more for whom the elector lowest in seniority from the time of his election as Fellow shall have voted, and any elector who shall then vote in favour of the person whose name shall be so announced shall be deemed not present at the election. And if there shall not then be any person, who, under the conditions aforesaid, can be declared elected, the votes shall be taken again in the manner herein-before directed, the like announcement being first made, and so on until a majority of the electors present shall have voted for the same person, or the votes of the electors shall be equally divided between two persons. Any elector who shall decline to vote shall be deemed not present at the election. The person elected shall be presented, as soon as conveniently may be, to the Visitor, who shall confirm him in his office, if duly qualified for the same and duly elected according to the foregoing provisions, after he shall have taken an oath (or made a declaration) that he will faithfully dis-

charge the duties of his office. In case the person presented to the Visitor shall not in his judgment be duly qualified according to the foregoing provisions, or shall not have been duly elected, a new election shall be holden in the manner before mentioned.

14. The Provost shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided that in case of the Provost's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the Provost's residence for such a period as the case may appear to the Visitor to require.

15. If at any time it shall appear that the Provost has become permanently incapable of performing the duties of his office, the senior Fellow in residence shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Provost (as the case may be), it shall appear to the satisfaction of the Visitor that the Provost has become permanently incapable of performing his duties, then the Visitor shall nominate such Fellow as, by the vote of the greatest number of the Fellows present at a meeting convened by the senior Fellow in residence, shall be presented to him, to be Pro-Provost of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one third) of the Provost's emoluments as the Visitor shall think fit; provided that the Provost shall be at liberty to retain his lodgings. And such Pro-Provost shall, so long as the Provost shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Provost, and shall be bound to residence in the same manner, and shall be liable

to deprivation for the same causes, and in the same manner. If any Pro-Provost shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-Provost in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Provost's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

16. Any Provost who shall be guilty of grave immorality, of conduct bringing disgrace upon the College, of culpable negligence or misconduct in his office, or of contumacious non-observance of the Statutes or Bye-laws of the College relating to him, or who shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland as by law established, may be removed from his office by the Visitor after due inquiry either *proprio motu* or on the petition of the major part of all the actual Fellows, being graduates.

17. The election of Fellows shall be vested in the Provost and the actual Fellows of the College, being graduates, and shall be held on two stated days in each year, to be appointed by the Provost and Fellows, subject to the provision for postponement herein-after contained, and notice of such intended election, and of the conditions of election, shall be given by the Provost, in such manner as he shall deem best adapted to secure publicity, thirty days at least before the day of election.

18. The Fellows shall be persons of unblemished character, conforming to the Liturgy of the United Church of England and Ireland as by law established, who shall have passed all the examinations required by the University for the degree of Bachelor of Arts, unmarried, and not disqualified by the possession of any such property, benefice, pension, or office, as herein-after mentioned. The candidates shall be examined in such subjects connected with the studies of the University as the Provost and Fellows shall appoint: provided that the system of examinations shall be such as shall render Fellowships accessible from time to time to excellence in every branch of knowledge for the time being recognized in the Schools of

the University; and the electors shall choose that candidate who after such examination shall appear to them to be of the greatest merit and most fit to be a Fellow of the College, as a place of religion, learning, and education. That candidate for whom the greatest number of votes shall have been given shall be deemed elected; in case of an equality of votes the Provost, or, in his absence, the senior Fellow present, shall give an additional casting vote.

19. If at the time of giving notice of election to any Fellowship nine of the Fellows of the College shall not be in Holy Orders or have declared their intention of taking Holy Orders, as herein-after mentioned, no person shall be eligible to such Fellowship who shall not either be a Priest or Deacon of the United Church of England and Ireland, or declare that he intends to take Holy Orders in the said Church. Every person who shall have made such declaration shall be required to take Deacon's Orders before the expiration of three years from the day of his election, (or if he be not then of sufficient age, within one year of the time when he shall be of sufficient age,) and every such person (and also every person who at the time of his election shall be in Deacon's Orders) shall be required to take Priest's Orders within two years after having taken Deacon's Orders, and in default thereof shall vacate his Fellowship: provided that it shall be lawful for the Provost and Fellows in case of sickness, or for any other very urgent cause, to grant a delay for a period not exceeding six months. Whenever there shall be more than one vacancy, this clause shall extend to so many only of the vacant Fellowships as will bring up the number of the Fellows in Holy Orders, or having made the aforesaid declaration, to nine.

20. Every person elected to a Fellowship shall undergo probation for twelve calendar months from the day of his election inclusive, and at the end of such twelve calendar months shall be admitted an actual Fellow, if found fit in the judgment of the Provost and Fellows. Every person admitted to probation shall receive during the period of probation the same emoluments as if he had been admitted an actual Fellow, but shall not be present or vote at any meeting of the Provost and Fellows.

21. Every Fellow who shall marry shall vacate his Fellowship at the expiration of twelve calendar months from the day of his marriage.

22. Every Fellow hereafter to be elected, and every present Fellow of the Old Foundation, who shall be instituted to an ecclesiastical benefice, or shall become entitled either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office, for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls) clear of deductions (except for property or income tax) shall exceed Three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources, (including or not including a benefice with cure of souls,) clear of deductions as aforesaid, shall exceed Five hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months, and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall in this clause include any estate or interest in possession in any property real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property, or any of such sources of income, shall have been acquired, shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. It shall be lawful for the Provost and Fellows to require from any Fellow any information which they may deem necessary for enabling them to enforce the provisions of this clause. Except as aforesaid no Fellow hereafter to be elected and no present Fellow of the Old Foundation shall vacate his Fellowship by reason of his

having become possessed of any benefice, property, pension, or office whatever. Every present Fellow or Scholar of John Michel's foundation who shall become seised or possessed of or entitled to any property, or be promoted to any office or preferment, which property, office, or preferment would, under the now existing Statutes of that foundation, disqualify him for retaining his Fellowship or Scholarship, shall vacate his Fellowship or Scholarship at the same time and in the same manner as if the clause of those Statutes relating to such disqualification had been inserted in this Ordinance. But no Fellow of that foundation shall vacate his Fellowship by reason of his having exceeded forty-four terms from his presentation to the degree of Master of Arts, exclusive of the term in which he was presented to the same.

23. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without any period of probation, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and although they may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

(*a.*) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the Provost and all the actual Fellows, being graduates, shall have been given.

(*b.*) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma, or by decree of Convocation, or any honorary degree; provided that two thirds of the votes of the Provost and all the actual Fellows, being graduates, shall have been given for the election of such Principal or other person as last aforesaid.

24. The election in such excepted cases shall always be held more than thirty days before the usual day of election,

and the electors may, at the time of election, determine the rank which the person elected shall hold in the College, without reference to the date of his election; provided that such rank shall confer no other than honorary privileges; provided also that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

25. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office, which would in ordinary cases disqualify him for continuing a Fellow, may nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Provost and all the actual Fellows, being graduates, or if he shall be Principal of any Hall (not being a private Hall), by two thirds of the votes of the Provost and all the actual Fellows, being graduates; provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

26. Any Fellow elected under clause 23, or retained under clause 25, shall (except in the case herein-after mentioned) be deemed entitled thereafter to hold his Fellowship, although he may afterwards marry or become possessed of any property, pension, or office, or of any benefice (not being a benefice in the gift of the College, the possession of which would, in ordinary cases, be incompatible with the retention of a Fellowship).

27. Any person elected under clause 23, or retained under clause 25, and being a Professor or Public Lecturer within the University, who, at the time of his election or retention, shall hold a benefice with cure of souls, and who shall continue to hold such benefice for six calendar months afterwards, shall thereby vacate his Fellowship; and no person elected or retained under either of the said clauses shall, by virtue thereof, be enabled to hold with his Fellowship any benefice in the gift of the College, the possession of which would, in ordinary cases, be incompatible with the retention of a Fellowship. Every Professor, Public Lecturer, or Principal of a Hall, elected or retained under either of the said clauses, who shall cease to hold such Professorship, Public Lecturership, or Principalship, and every Professor or Public Lecturer elected

or retained as aforesaid, who shall be instituted to any benefice with cure of souls, shall thereby vacate his Fellowship.

28. It shall be lawful for the Provost and Fellows, at stated general meetings, to elect distinguished persons to honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Provost and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of honorary Fellowships, and the mode of election thereto, may also be determined by the Provost and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor honorary Fellowships among the Fellowships of the College.

29. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University shall thereupon vacate his Fellowship.

30. The Provost and Fellows shall, within six calendar months after the approval of this Ordinance by Her Majesty in Council, and from time to time thereafter, make such regulations respecting the residence of Fellows within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and in case of contumacious non-compliance by deprivation. Such regulations shall be made and varied at stated general meetings only.

31. Every Fellow shall be required to take the degree of Master of Arts or the degrees of Bachelor and Doctor of Civil Law, or those of Bachelor and Doctor of Medicine, within one year after the time at which he shall be of sufficient standing to take those degrees respectively by the Statutes of the University, and in case of non-compliance shall vacate his Fellowship: Provided that it shall be lawful for the Provost and Fellows, in case of sickness or for any other very

urgent cause, to grant a delay for a period not exceeding six months.

32. Any Fellow who shall have been guilty of grave immorality, of conduct bringing disgrace upon the College, of gross negligence or misconduct in any College office, of contumacious non-observance of the Statutes or Bye-laws of the College, or of grossly offensive behaviour towards any member of the College, or who shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland as by law established, may be deprived of his Fellowship by the vote of the major part of the Provost and all the actual Fellows, being graduates, subject to such appeal to the Visitor as is herein-after provided.

33. The number of Fellowships within the College shall never be less than Nineteen, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the Provost and not less than three fourths of the actual Fellows of the College, being graduates, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Provost and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

34. The election of Scholars shall be vested in the Provost and the actual Fellows of the College, being graduates, and shall be held on two stated days in each year, to be appointed by the Provost and Fellows, subject to the provision for postponement herein-after contained; and notice of such intended election, and of the conditions of election, shall be given by the Provost in such manner as he shall deem best adapted to secure publicity, thirty days at least before the day of election.

35. No person shall be admissible as a candidate for a Scholarship who shall have attained the age of twenty years, or who shall not have produced testimonials of his moral

character satisfactory to the Provost. The candidates shall be examined in such subjects as the Provost and Fellows shall determine; and that candidate shall be elected who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College: provided that for the period of twenty years from the date of the approval of this Ordinance, the subjects of the competitive examination for one Scholarship at least in each year shall be Mathematics and Physical Science.

36. Each Scholarship hereafter to be established shall be tenable for five years from the day of election inclusive, and no longer. The Provost and Fellows shall not be required to fill up more than three Scholarships in any one year. The emoluments of each Scholar shall be not less than Seventy-five pounds *per annum*, inclusive of rooms and all allowances, if any.

37. Present Scholars of John Michel's foundation shall not vacate their Scholarships by reason of their having exceeded eight full terms from their presentation to the degree of Master of Arts, exclusive of the term of presentation; and as often as any one of the present Fellows of that foundation shall vacate his Fellowship, the present Scholars of that foundation shall, as respects the right to succeed or be elected thereto, stand in the same position as if the Statutes of the said foundation had continued in force, and no period of superannuation for Scholars had been prescribed thereby. The person being Senior Michel Exhibitioner at the time of the date of this Ordinance may be elected by the Provost and Fellows to any Scholarship of that foundation now vacant, if they shall deem it just, and shall in that case have the same benefit of the foregoing provision, and of that relating to advowsons, as if he had now been a Scholar.

38. The election of Eglesfield Exhibitioners shall be vested in the same persons, and held at the same time, and after the same period of notice as the election of Scholars, and the conditions in respect of age and moral character shall be the same.

39. No person shall, except in the case herein-after mentioned, be eligible for an Eglesfield Exhibition who shall not be a native of one of the counties of Cumberland and West-

moreland. The candidates shall be examined in such subjects as the Provost and Fellows shall determine, and that candidate shall be elected who, after such examination, shall appear to the electors to be of the greatest merit and fitness.

40. Each Eglesfield Exhibition shall be tenable for four years from the day of election inclusive, and no longer. Any Exhibition which shall be thrown open to general competition shall be tenable until the expiration of the period for which it would have been tenable if the election thereto had not been postponed, and no longer. The Provost and Fellows shall not be required to fill up more than one Exhibition in any one year. The emoluments of each Exhibitioner shall be not less than Seventy-five pounds *per annum*, inclusive of rooms and all allowances, if any.

41. The Bible-Clerkships shall be in the appointment of the Provost, and shall be conferred by him on deserving persons, whom he shall have ascertained to be in need of support at the University, notice of such intended appointment having been given by him two calendar months at least before the day of appointment, in such manner as he shall deem best adapted to secure publicity. The Bible Clerks shall discharge such duties as the Provost and Fellows shall from time to time determine. The Bible-Clerkships shall be tenable for five years from the day of appointment inclusive, and no longer. The emoluments of each Bible Clerk shall be not less than Seventy-five pounds *per annum*, inclusive of rooms and all allowances, if any.

42. Every Scholar, Exhibitioner, and Bible Clerk, shall be subject to such regulations as to residence, instruction, discipline, and attendance on Divine Worship, as the Provost and Fellows shall from time to time determine, and may be deprived of his Scholarship, Exhibition, or Bible-Clerkship, by the Provost and Fellows, for any misconduct which in their judgment shall merit deprivation, subject to such appeal to the Visitor as is herein-after provided. Every Scholar, Exhibitioner, or Bible Clerk, who shall marry, be elected to a Fellowship, or cease to be a member of the College, shall thereby vacate his Scholarship, Exhibition, or Bible-Clerkship.

43. Commoners shall be admitted by the Provost, subject

to such regulations as to examination and evidence of moral character as the Provost and Fellows shall from time to time by resolution at any stated general meeting determine, and any Commoner may be removed from the College by the Provost and Fellows for such causes as in their judgment may require his removal.

44. Whenever there shall be no candidate for an Eglesfield Exhibition, duly qualified in respect of his place of birth and otherwise, whom the electors shall judge of sufficient merit for election, the election shall be thrown open for that turn to general competition, and shall be held on some day not later than the next ensuing stated day of election of Scholars of the College, and shall be conducted in the same manner and after the same previous notice as the election of Scholars.

45. Whenever there shall be no duly qualified candidate for a vacant Fellowship or Scholarship, whom the electors shall judge of sufficient merit for election, and whenever a Fellowship shall fall vacant, and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to some other day, to be fixed by the Provost and Fellows for the purpose, not later than the next ensuing stated day of election, in the case of a Fellowship, of Fellows, and in the case of a Scholarship, of Scholars: and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

46. The Provost and Fellows shall, with all convenient speed, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time: Provided that such regulations and any variation thereof shall be laid before the Visitor, who shall have power, if he shall think fit, to disallow the same.

47. The Provost and Fellows shall, on the first Tuesday after the Tenth day of October in every year, elect two Bursars for the administration of the property and pecuniary affairs of the College, under the authority of the Provost, and

may from time to time, by resolution at any stated general meeting, regulate the duties and emoluments of the said Bursars.

48. The Provost shall at the same time appoint a Dean to assist him in maintaining the religious and moral discipline of the College. The Provost and Fellows may from time to time, by resolution at any stated general meeting, regulate the duties and emoluments of the Dean.

49. The Tutors shall be so many in number as the Provost shall from time to time determine, and shall be appointed by the Provost; but any such appointment may be annulled by the vote of a majority of the Provost and all the Fellows at a meeting held within four weeks after the day on which it shall have been made. The Provost shall, immediately after making any such appointment, give notice thereof to all the Fellows, and shall, upon the requisition of any three or more Fellows, convene a special meeting of the Provost and Fellows for the consideration thereof within the four weeks, if there shall be no stated general meeting within that time, or if there shall not be time before such stated general meeting to communicate such notice as herein-after mentioned. No such appointment shall be annulled at any meeting unless notice of the intention to object to it shall have been given by the objector to the Provost, who shall communicate the same to the other Fellows one week at least before the meeting.

50. The Provost and Fellows may from time to time institute such offices within the College as they may deem expedient for the instruction of the members of the College, and may assign to such offices such duties and emoluments as they shall think fit. The appointment to such offices shall be vested in the Provost, subject to the approval of the Provost and Fellows, to be given at the next stated general meeting after any appointment, unless and until, in the case of any office, the Visitor, upon the request of the Provost and Fellows, shall determine that the power of appointing thereto shall be vested in some other person or persons, or exercised in some other manner; in which case the Visitor may, with the consent of the Provost and Fellows, regulate for the future the mode of appointment to such office. The power hereby given to the Visitor may, on the request of the Provost

and Fellows, be exercised by him from time to time as may be deemed expedient.

51. The Provost and Fellows shall from time to time appoint one or more Chaplains for the performance of Divine Service in the Chapel of the College, with such emoluments as they may think proper, and may apply the proceeds of the benefaction of William Noble, Clerk, in aid of the emoluments of such Chaplains, whether Fellows of the College or otherwise.

52. The clear annual revenues of the College, after payment of all charges and outgoings, of allowances (if any) granted in respect of residence, and of such sums as the Provost and Fellows may vote towards objects conducive to the interests of the College as a place of religion, learning, and education, or connected with its duties as the holder of property, shall be divided into twenty-three equal shares, of which the Provost shall receive four, and each Fellow one. In apportioning such shares, all allowances, if any, enjoyed by the Provost, other than the right to lodgings within the College, shall be taken into account as part of the shares to be allotted to him. The share due to any Fellowship which may be vacant at the time of any annual division, and the emoluments of any Scholarship, Exhibition, or Bible-Clerkship, during the vacancy thereof, shall be appropriated from time to time to a fund for improving the property of the College.

53. The Provost and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which may have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require, for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than Three hundred pounds a year (exclusive of rooms or any allowance in respect thereof, but inclusive of any other allowances), to direct either that the number of Fellowships shall be increased, or that any part of

such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Provost and Fellows, with the approbation of the Visitor, shall determine.

54. The power of convening meetings shall be vested in the Provost, and the Provost (or, in his absence, the senior Fellow in residence) shall preside, and shall exercise all the powers of a chairman. There shall be two stated general meetings at least of the Provost and Fellows in every year on such days as the Provost and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. Whenever the votes shall be equal at any meeting, the Provost, or in his absence the senior Fellow present, shall give a casting vote, in addition to his own vote. No Fellow, not being a graduate, shall be entitled to be present at any meeting of the Provost and Fellows, or of the Fellows. The seal of the College shall not be affixed to any act or document, except in the presence of the Provost (or, in his absence, the senior Fellow in residence), one Bursar, and at least three other Fellows out of a list to be annually appointed for that purpose. The Provost and Fellows may make from time to time, at any stated general meeting, such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

55. Bye-laws binding on all the members of the College (not being repugnant to any of the Statutes of the College in force for the time being,) may be made by the Provost and Fellows at stated general meetings; and such Bye-laws may be enforced by pecuniary penalties.

56. If in any case it shall appear to the Visitor that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the

general interests of the College, it shall be lawful for the Visitor from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

57. It shall be lawful for the Visitor, once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College. It shall be lawful for the Visitor at any such visitation, or if he shall think fit at other times, to require the Provost and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

58. As often as any question shall arise on which the Provost and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the Provost and Fellows, or for the Provost or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

59. It shall be lawful for the Provost, or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Provost and Fellows, and for any Scholar, Exhibitioner, or Bible Clerk, who may have been deprived of his Scholarship, Exhibition, or Bible-Clerkship, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence, as he shall deem just.

60. It shall be lawful for the Visitor, either *proprio motu*, or on the complaint of the Provost or any of the Fellows, to disallow or annul any bye-law or resolution of the Provost

and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

61. All the existing Statutes of the College, and all existing Statutes and Regulations relating to the foundations of Mr. John Michel, Sir Francis Bridgman, and Lady Margaret Hungerford, within the College, shall be henceforth void, except in so far as it may be necessary to refer thereto in aid or explanation of the provisions of this Ordinance relating to existing interests.

62. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the Act first herein-before mentioned) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal this 9th day of January, 1858.

L. S.

Ordinance in relation to the Exhibitions of the foundation of the Lady Elizabeth Hastings, framed by the Commissioners.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act "to make further Provision for the good Government and "Extension of the University of Oxford, of the Colleges "therein, and of the College of Saint Mary Winchester," hereby ordain as follows, in relation to the Exhibitions of the foundation of the Lady Elizabeth Hastings within the Queen's College in the said University.

One Exhibition, in addition to the five now existing

Exhibitions, shall be established in the year 1860, and in each of the four years next following, and such five additional Exhibitions shall be thenceforth maintained out of the revenues of the estates and funds of the said foundation.

One of the five existing Exhibitions shall be filled up in the year 1864, and in every year thereafter.

The annual value of the Exhibitions to be established in the year 1860 and the four years next following, and of the existing Exhibitions in and after the year 1864, shall be not less than Seventy-five pounds each, if the revenues of the foundation shall be of sufficient amount, nor more than Ninety pounds each; and the Exhibitions shall be respectively tenable for five years from the day of election inclusive, and no longer.

The election to Exhibitions in and after the year 1860 shall be made at Oxford by the Provost and Fellows of Queen's College on a stated day in each year, to be appointed by the Provost and Fellows, after an examination of the candidates in the Greek and Latin classics, elementary divinity according to the principles of the United Church of England and Ireland, and the rudiments of mathematical science, including arithmetic; and the Provost and Fellows shall elect the candidate who, after such examination, shall appear to them to be of the greatest merit and fitness. Every school now or hereafter entitled to send candidates for the Exhibitions of this foundation shall have the liberty of sending one candidate for each election, provided that the Head Master of the school send with the candidate a certificate that he is, in the Head Master's opinion, qualified for election in respect of his attainments and moral character, and is well grounded in the principles of the United Church of England and Ireland, and has been educated in the school for the two years at least last preceding. No person shall be ineligible by reason of his not having entered upon the nineteenth year of his age, or not having been educated for more than two years at his school.

It shall be lawful for the Provost and Fellows to pay a sum not exceeding five pounds to each or any of the four best unsuccessful candidates, for the purpose of defraying their expenses in attending the examination.

Any Exhibition for which there shall be no candidate of such attainments as to make it probable, in the judgment of the Provost and Fellows, that he will be qualified to pass with credit during the tenure of his Exhibition all the examinations required by the University for the degree of Bachelor of Arts, shall be thrown open for that turn to general competition, and the election thereto shall be held on some day not later than the next ensuing stated day of election of Scholars of the College. Any Exhibition filled up at an election so postponed, shall be tenable only until the expiration of the period for which it would have been tenable if there had been no postponement.

The Exhibitioners shall be subject to such regulations only, as to study and instruction, as the Provost and Fellows shall determine; provided that such regulations shall always include the study of Divinity, according to the principles of the United Church of England and Ireland.

Every Exhibitioner shall be subject to such regulations as to residence, discipline, and attendance on Divine worship as the Provost and Fellows shall from time to time determine, and may be deprived of his Exhibition by the Provost and Fellows for any misconduct which in their judgment shall merit deprivation, subject to such appeal to the Visitor as is provided in clause 59 of an Ordinance framed by us in relation to the said College, and bearing date the Ninth day of January in the year of our Lord one thousand eight hundred and fifty-eight.

The whole revenues of the foundation, whether consisting of rents, or the income of accumulations, or arising from any other source, shall be applicable to the maintenance of the said Exhibitions and the other purposes aforesaid, and the surplus thereof shall be applied in increasing the number of Exhibitions, or to any other purpose connected with the foundation which the Visitor shall approve. The emoluments of vacant Exhibitions accruing during the vacancy thereof shall be applied in the same manner.

If any school now entitled to send candidates shall, in twenty successive elections have no candidate either elected to an Exhibition, or placed amongst the four best unsuccessful candidates, the Provost and Fellows shall appoint a school, in

the county in which such school is, to take the place of such school; and the newly appointed school shall have the same advantages, and be subject to the same rules and conditions as the other schools including the provisions of this clause.

No Exhibition shall be tenable with any Scholarship, Exhibition, or Bible-Clerkship within the College, in any case in which the aggregate income of the two emoluments shall exceed One hundred and ten pounds *per annum*.

If in any case it shall appear to the Visitor that, by reason of any change in the value of money, any specific sum fixed by this Ordinance has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the interests of the foundation, it shall be lawful for the Visitor, from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

Given under our Common Seal this Sixteenth day of April one thousand eight hundred and fifty-eight.

L. S.

Ordinance in relation to the Exhibitions or Scholarships of the foundations of Frederick Tylney, Esquire; Dr. John Thomas, Bishop of Rochester; George Holme, Doctor in Divinity; Gabriel Thistlethwaite, Clerk; James Rigge, Esquire; Henry Wilson, Esquire; Dr. Edmund Grindall, Archbishop of Canterbury; Thomas Earl of Thanet; and Thomas Sandys, Esquire; framed by the Commissioners.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to "make further Provision for the good Government and Ex- "tension of the University of Oxford, of the Colleges therein, "and of the College of Saint Mary Winchester," ordain as follows, in relation to the Exhibitions or Scholarships of the foundations of Frederick Tylney, Esquire; Dr. John Thomas, Bishop of Rochester; George Holme, Doctor in Divinity; Gabriel Thistlethwaite, Clerk; James Rigge, Esquire; Henry Wilson, Esquire; Dr. Edmund Grindall, Archbishop of Canterbury; Thomas Earl of Thanet; and Thomas Sandys, Esquire; within the Queen's College in the said University.

The aforesaid Exhibitions and Scholarships shall be respectively tenable for five years from the day of election inclusive, and no longer. Every Exhibitioner shall be subject to such regulations as to residence, instruction, discipline, and attendance on Divine Worship, as the Provost and Fellows shall from time to time determine, and may be deprived of his Exhibition by the Provost and Fellows for any misconduct which in their judgment shall merit deprivation, subject to such appeal to the Visitor as is provided in clause 59 of an Ordinance framed by us in relation to the said College, and bearing date the Ninth day of January in the year of our Lord one thousand eight hundred and fifty-eight. Every Exhibitioner who shall marry, be elected to a Fellowship, or cease to be a member of the College, shall thereby vacate his Exhibition. No person shall be eligible to any Exhibition who

shall have exceeded the eighth term from that of his matriculation inclusive. In elections to any Exhibition no person shall be entitled to preference by reason of his having been educated at any particular school, unless he shall have been educated at such school for two years at least last preceding the day of election, or last preceding his matriculation in the University; but no greater period than two years shall in any case be required, notwithstanding anything contained in any instrument of foundation. Notice of every intended election to any Exhibition shall be given by the Provost, if the Provost and Fellows shall be the electors thereto, or if not by the elector or electors, in such manner as the Provost or elector or electors, as the case may be, shall deem best adapted to ensure publicity. The electors to the Exhibitions of the foundations of the said George Holme and Henry Wilson, shall be the Provost and Fellows. The candidates for every Exhibition shall be examined by such persons and in such manner as the electors thereto shall determine; and that candidate shall be elected who after such examination shall appear to the electors to be of the greatest merit and fitness.

Whenever there shall be no candidate for any vacant Exhibition, to which the Provost and Fellows are or shall be the electors, entitled to preference according to the provisions of the instrument of foundation and this Ordinance, whom the electors shall judge of sufficient merit for election, it shall be lawful for the Provost and Fellows to elect for that turn any person of sufficient merit who would be eligible to one of the fifteen Scholarships of the College, and to hold the election to such Exhibition on any day not later than the next ensuing stated day of election of Scholars. At least thirty days' previous notice of every such election shall be given by the Provost, in such manner as he shall deem best adapted to ensure publicity.

Whenever there shall be no candidate for any vacant Exhibition, not being an Exhibition the election to which is or shall be vested in the Provost and Fellows, entitled to preference according to the provisions of the instrument of foundation and this Ordinance, of sufficient merit for election in the judgment of the electors, the Exhibition shall be declared open for that turn to general competition, and the election

thereto shall be postponed to some other day to be fixed by the electors, who shall give notice thereof in such manner as they shall deem best adapted to ensure publicity.

The Provost and Fellows shall not admit as an Exhibitioner any person nominated or elected to any Exhibition (not being an Exhibition the election to which is or shall be vested in them) who shall not, in their judgment, be fit to be an Exhibitioner of the College.

The two Exhibitions of the foundation of the said Frederick Tylney shall be consolidated into one Exhibition, the holder of which shall receive all the emoluments of the two existing Exhibitions. In elections to the said Exhibition, no person shall be ineligible or entitled to preference by reason of his place of birth.

The three Exhibitions of the foundation of the said Doctor John Thomas, shall be consolidated into two Exhibitions, the holders of which shall receive in equal shares the net income of that foundation. Whenever there shall be no candidate for a vacant Exhibition of that foundation entitled to preference according to the provisions of the instrument of foundation and this Ordinance, and of sufficient merit for election in the judgment of the electors, such Exhibition shall be thrown open for that turn to the sons of all clergymen who shall have been for three years resident in the present diocese of Carlisle.

The six Exhibitions of the foundation of the said George Holme shall be consolidated into two Exhibitions, the holders of which shall receive in equal shares the net income of that foundation. No person shall be entitled to preference in elections to any Exhibition of the foundations of the said George Holme, or Gabriel Thistlethwaite, by reason of his being a Taberdar or Scholar of the old foundation, or one of the poor children of the College.

The two Exhibitions of the foundation of the said James Rigge shall be consolidated into one Exhibition, the holder of which shall receive all the emoluments of the two existing Exhibitions.

The four Exhibitions of the foundation of the said Henry Wilson for persons educated at the Free Grammar-School of Kirkby Lonsdale, shall be consolidated into one Exhibition,

the holder of which shall receive all the emoluments of the four existing Exhibitions. In elections to such Exhibition, no person shall be entitled to preference by reason of his having been born in the parish of Kirkby Lonsdale. The three Exhibitions of the foundation of the said Henry Wilson for persons educated at the Free Grammar-School of Kendal, shall be consolidated into one Exhibition, the holder of which shall receive all the emoluments of the said three existing Exhibitions.

The two Exhibitions of the foundation of the said Edmund Grindall, shall be consolidated into one Exhibition, the holder of which shall receive all the emoluments of the said two existing Exhibitions.

The five Exhibitions of the foundation of the said Thomas Earl of Thanet, shall be consolidated into one Exhibition, the holder of which shall receive all the emoluments of the said five existing Exhibitions. In elections to such Exhibition no person shall be entitled to preference by reason of his being a son of a tenant of the Earl of Thanet or his family within any manor or parish in the county of Westmoreland or elsewhere.

No Scholarship or Exhibition shall be tenable with any Scholarship, Exhibition, or Bible-Clerkship within the College, in any case in which the aggregate income of the two emoluments shall exceed One hundred and ten pounds *per annum*.

The provisions of this Ordinance shall apply to existing Exhibitioners or Scholars as well as to Exhibitioners or Scholars hereafter to be elected, except that every existing Exhibitioner or Scholar shall be entitled to hold his Exhibition or Scholarship for the period for which the same would have been tenable by him if this Ordinance had not been made.

Given under our Common Seal this Sixteenth day of April 1858.

L. S.

ORDINANCES

CONCERNING

NEW COLLEGE,

AND

WINCHESTER COLLEGE.

PAGE

1. General Ordinance for New College 183

2. Ordinance for the appropriation of a portion of the revenues of New College in aid of the Professoriate of the University, and respecting certain Exhibitions within the College 201

3. Ordinance for Winchester College 204

ORDINANCES

CONCERNING

NEW COLLEGE.

General Ordinance framed by the Commissioners.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to the College of Saint Mary of Winchester in the said University, otherwise and herein-after called New College:—

1. The seventy places within the said College, now held by perpetual Fellows or Scholars on two years of probation, shall, as vacancies occur therein respectively, not be filled up in the same manner and under the same conditions as heretofore, but so that there shall hereafter be maintained within the College the thirty Fellowships and thirty Scholarships herein-after mentioned.

2. In elections to fifteen of the said thirty Fellowships (which fifteen are herein-after called "Winchester Fellowships"), no person shall be eligible unless he shall either have

been educated during two years at least in the school of the College of Saint Mary Winchester, near Winchester (otherwise and herein-after called Winchester College), or shall for at least twelve terms have been a member of New College. In elections to the other fifteen (herein-after called "Open Fellowships,") no person shall be either entitled to preference or ineligible by reason of his having or not having been educated at any particular school, or of his being or not being a member of New College.

3. No candidate for any Fellowship within the College shall be either entitled to preference or ineligible by reason of his place of birth, or of his being or not being of the blood or kindred of William of Wykeham, the Founder of the College, or of his being or not being a Scholar of the College, or of his pecuniary circumstances; and no candidate shall be ineligible by reason of his being or having been a member of any other College, or of his having any bodily imperfection which might operate as a disqualification for Holy Orders, or of his having attained or exceeded his twentieth year: Provided, that no person shall be eligible to an Open Fellowship who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, and no person shall be eligible to a Winchester Fellowship who shall not either have passed all the examinations required by the University for the degree of Bachelor of Arts, or have taken the degree of Bachelor of Arts in some other University in Great Britain or Ireland, and no person shall be eligible to any Fellowship who shall be possessed of any benefice, property, pension, or office, which, if acquired after election, would have disqualified him for continuing a Fellow.

4. No candidate for any Scholarship within the College shall be either entitled to preference or ineligible by reason of his place of birth, or of his being or not being of the blood or kindred of William of Wykeham, the Founder of the College; and no candidate shall be ineligible by reason of his having any bodily imperfection which might operate as a disqualification for Holy Orders, or by reason of his being entitled to any property or income exceeding five marks a year.

5. The emoluments of each Scholarship, inclusive of rooms

and all allowances, shall be not less than Eighty pounds per annum. The Scholarships shall be respectively tenable for five years, and no longer: Provided that, in the case of any Scholarship the election to which may have been postponed as herein-after provided, the said term of five years shall be computed from the day on which the election would have been held if there had been no postponement. Every Scholar who shall marry, or shall be elected to a Fellowship in New College, or to a Fellowship or Scholarship in any other College, shall thereupon vacate his Scholarship.

6. The vacant Scholarships shall be filled up annually, at a stated time to be appointed by the Warden and Fellows of New College, by the election of boys receiving education in the school of Winchester College, no distinction being made between members of the foundation of that College and boys not members thereof. The conditions of eligibility in respect of age and standing in the school shall be the same for all persons, whether of the blood or kindred of the Founder or not, but, subject to this provision, shall be such as the Warden and Fellows of New College, with the consent of the Warden and Fellows of Winchester College, shall from time to time determine, or, in default thereof, shall be such as are now required in the case of persons elected and admitted to probation in New College, being not of the blood or kindred of the Founder. The election of Scholars shall be held at Winchester College, after an examination of the candidates in such subjects, and conducted in such manner, as the Warden and Fellows of New College shall from time to time determine; and the candidate or candidates shall be elected who, after such examination, shall appear to the electors to be of the greatest merit, and most fit to be a Scholar or Scholars of the College. Any vacant Scholarship for which there shall be no candidate duly qualified and of sufficient merit in the judgment of the electors, shall be thrown open for that turn to general competition as an Open Scholarship, and the election shall be postponed to a day to be fixed by the Warden and Fellows of New College for the purpose, and shall be held at New College by the same persons, and after public notice for the same period; as the elections to Fellowships are to be held

under this Ordinance, and after a competitive examination of the candidates in such subjects, and conducted in such manner, as the Warden and Fellows shall from time to time determine.

7. The whole number of thirty Fellowships and thirty Scholarships shall be completed as speedily as the occurrence of vacancies in existing Fellowships, and the amount of the funds thereby made available, will permit. The number of the fifteen Winchester Fellowships and the number of the fifteen Open Fellowships shall be progressively completed, as nearly as may be, *pari passu*. As between Fellowships and Scholarships, the whole number of the Fellowships and the whole number of the Scholarships shall be progressively completed at such a relative rate as the Warden and Fellows of New College, having regard on the one hand to the continuance of due encouragement to the school of Winchester College, and on the other to the interests of New College as a place of education, shall deem expedient.

8. So soon as the whole number of thirty Fellowships and thirty Scholarships shall have been completed, and the average emoluments of each Fellow (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances) shall amount to Two hundred pounds per annum, the number of Open Fellowships and that of Winchester Fellowships respectively shall be progressively increased to twenty, as speedily as the amount of the corporate revenues of the College shall allow (but not so as at any time to reduce the emoluments of the Fellowships below Two hundred pounds per annum). And no Fellow shall be entitled to receive more than Two hundred pounds per annum in respect of his Fellowship, so long as the whole number of Fellowships shall be less than forty.

9. The provisions of this Ordinance shall be subject to any Ordinance or Ordinances which may be hereafter duly made by the Commissioners exercising the powers of the said Act, for appropriating in such manner as may be thought fit any part of the revenues of the College to purposes for the benefit of the University at large in connection with the Professoriate of the University.

10. The Fellows of the College hereafter to be elected shall be subject, as regards qualification for election and other-

wise, to the existing Statutes of the College relating to Fellows, and the Scholars to the existing Statutes relating to persons admitted to two years of probation, so far as the same are consistent with the provisions of this Ordinance concerning Fellows and Scholars respectively, and the election at Winchester College of Scholars of New College shall be held by the same persons and in the same manner (subject to the provisions of this Ordinance) as the election of Scholars on two years of probation is by the existing Statutes directed to be held: Provided that this clause shall not be deemed to limit or affect the power of repealing and altering Statutes hereinafter given to the Warden and Fellows.

11. This Ordinance shall be without prejudice to the right of every person whose name shall be in the election indenture which shall be in force when this Ordinance shall be approved by Her Majesty in Council to be admitted as a Fellow, if of kin to the Founder, or as a Scholar on two years of probation, in case of a vacancy; and to the right of every person who shall be so admitted, and of every present Scholar on two years of probation, to be admitted an actual Fellow of the College.

12. No person shall be incapable of being elected or appointed Warden of the College by reason of his not being or not having been a Fellow thereof. No person shall be capable of being elected or appointed who shall not be a Priest of the United Church of England and Ireland, and either a graduate in Theology or Law, or a Master of Arts. The electors shall choose, and in case of lapse the Bishop of Winchester for the time being shall appoint, the person (being otherwise duly qualified according to the Statutes in force for the time being), who in their or his judgment, as the case may be, shall be most fit for the government of the College as a place of religion, learning, and education.

13. The Warden shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided that in case of the Warden's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the Warden's residence for such a period as may seem to the

Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the Warden.

14. The Warden and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Wardenship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Warden's emoluments, whether commuted or uncommuted, as they shall think proper: Provided, that no exercise of this power shall affect the person then being Warden without his consent; Provided also, that the Visitor, upon the petition of the Warden or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

15. If at any time it shall appear that the Warden has become permanently incapable of performing the duties of his office, the Sub-Warden shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Warden (as the case may be), it shall appear to the satisfaction of the Visitor that the Warden has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Sub-Warden, shall be presented to him, to be Pro-Warden of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one third) of the Warden's emoluments as the Visitor shall think fit; provided that the Warden shall be at liberty to retain his lodgings. And such Pro-Warden shall, so long as the Warden shall retain his office and be incapable of per-

forming its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Warden, except the power of consenting to any commutation, regulation, or diminution of the Warden's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes, and in the same manner. If any Pro-Warden shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-Warden in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Warden's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

16. The election of Fellows shall be vested in the Warden and the Fellows present at the time of election: and that candidate shall be deemed elected for whom the greatest number of votes shall have been given.

17. The election of Fellows shall take place on a stated day or stated days in each year, to be appointed by the Warden and Fellows; and thirty days at least before every day of election, notice of such intended election, of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Warden in such manner as he shall deem best adapted to ensure publicity.

18. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Warden and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the Warden and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

19. Every person hereafter elected to a Fellowship shall,

before being admitted an actual Fellow, undergo probation for one year from the day of his election inclusive, and no longer; and at the end of such year shall be admitted to an actual Fellowship, if found fit to be a Fellow of the College in the judgment of the Warden and Fellows. Every person admitted to such probation shall be entitled to receive, during the year of probation, the same emoluments as if he had been admitted an actual Fellow.

20. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled, either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office, for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls), clear of deductions (except for property or income tax), shall exceed Three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources (including or not including a benefice with cure of souls), clear of deductions as aforesaid, shall exceed Five hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months; and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities, at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall, in this clause, include any estate or interest in possession in any property real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property or any of such sources of income shall have been acquired shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be dis-

qualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

21. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without any period of probation, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and although they may not have taken the degree of Bachelor of Arts in any University, or passed the examinations required for that degree by the University of Oxford, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

(*a.*) Any Professor or Public Lecturer within the University of Oxford for whose election a majority of the votes of the Warden and all the Fellows shall have been given; the Warden's vote being counted as two votes.

(*b.*) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma or decree of Convocation, or any honorary degree: Provided that two thirds of the votes of the Warden and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid; the Warden's vote being counted as two votes.

22. The election in such excepted cases shall always be held more than thirty days before the usual stated day of election; and the electors may, at the time of election, determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges: Provided also, that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

23. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office, which would in ordi-

nary cases disqualify him for continuing a Fellow, may, nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Warden and all the Fellows, or if he shall be Principal of any Hall (not being a private Hall) by two thirds of the votes of the Warden and all the Fellows; the Warden's vote being in each case counted as two votes: Provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

24. Every Professor, Public Lecturer, or Principal of a Hall, elected to or retained in a Fellowship by virtue of either of the foregoing clauses numbered 21 and 23, shall, upon ceasing to hold such Professorship, Public Lecturership, or Principalship, vacate his Fellowship.

25. It shall be lawful for the Warden and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Warden and Fellows shall, by resolution, from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Warden and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

26. No Fellow or Scholar shall, by reason of anything contained in the existing Statutes, be liable on ceasing to be a member of the College to refund any emoluments previously received by him; but every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University, or in Winchester College, shall thereupon vacate his Fellowship.

27. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University, contained in the existing Statutes, shall be henceforth void. The Warden and Fellows shall at the first

stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Warden and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the members of the College.

28. It shall be lawful for the Warden and Officers of the College for the time being, or the major part of them, to grant an exemption from the obligation to take Holy Orders to any Fellow who would according to the existing Statutes be required to do so, whenever they shall judge it to be consistent with the interests of the College as a place of religion and education to do so.

29. No Fellow, being a Master of Arts, shall be required by reason of anything contained in the existing Statutes to proceed to any degree in Law, Medicine, or Theology.

30. No Fellow shall, by reason of anything contained in the existing Statutes, be disabled from voting at any election, or from doing or taking part in any act or proceeding as a Fellow, or from being elected to any office, or appointed to discharge any duty, on account of his faculty.

31. No Fellow shall be precluded by anything contained in the existing Statutes from applying for or taking advantage of graces granted by the University, or from proceeding to any degree at the earliest time allowed by the Statutes and regulations of the University.

32. Subject to the provisions of this Ordinance and of any Ordinance hereafter to be made in exercise of the powers of the said Act, the number of Fellowships within the College shall never be less than Thirty, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the

Warden and not less than three fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Warden and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

33. The Warden and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than Three hundred pounds a year, (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances,) to direct either that the number of Fellowships shall be increased above forty, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Warden and Fellows, with the approbation of the Visitor, shall determine. This clause shall be without prejudice to the provisions of clause 8 of this Ordinance.

34. The Warden and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

35. The power of depriving the Warden for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him after due inquiry upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Warden and Fellows, and shall be exercised by the vote of the major part of the Warden and all the Fellows, subject only to such appeal to the Visitor as is herein-after provided; and the Warden and Fellows may deprive any Scholar of his Scholarship for any misconduct which in their judgment shall merit deprivation: Provided that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

36. Whenever there shall be no candidate for a vacant Winchester Fellowship, duly qualified in respect of his place of education and otherwise according to the foregoing provisions, and whom the electors shall judge of sufficient merit for election, the election thereto shall be thrown open for that turn, and shall be postponed to some other day, to be fixed by the Warden and Fellows for the purpose, not later than the next ensuing stated day of election to Open Fellowships, and shall be held and conducted in the same manner, and after the same previous notice, as an ordinary election to an Open Fellowship.

37. Whenever there shall be no duly qualified candidate for a vacant Open Fellowship or for a Winchester Fellowship which shall have been thrown open under the foregoing provision, whom the electors shall judge of sufficient merit for election, and whenever a Fellowship shall fall vacant, and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to some other day, to be fixed by the Warden and Fellows for the purpose, not later than the next ensuing stated day of election to Open Fellowships; and every such postponed election shall be held and conducted in the same manner and after the same previous notice as if there had been no postponement.

38. The Warden and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Warden and Fellows shall think proper: Provided, that it shall be lawful for the Visitor, upon the petition of the Warden or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if the Visitor shall think fit: Provided also, that the Wardenship shall not be deemed to be an office within the meaning of this clause.

39. The Warden and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine service according to the Liturgy of the United Church of England and Ireland, within the College, during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Warden and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purpose. The provisions of the existing Statutes relating to Divine service shall be henceforth void.

40. In case the Warden or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland, as by law established, such contumacious ceasing to conform shall be a cause for depriving the Warden of his Wardenship and any such Fellow of his Fellowship.

41. The oaths prescribed by the existing Statutes shall not hereafter be taken; but every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall, at the time of his election or

admission, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office, and obey the Statutes and Bye-laws of the College in force for the time being, so far as they may concern him; and the electors to any place or office before electing to which an oath is now required shall, before electing, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

42. There shall be two stated general meetings at least of the Warden and Fellows in every year, on such days as the Warden and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Warden shall be counted as two votes at all College meetings, and in the election, admission, and deprivation of Fellows, and in the deprivation of Scholars, and in elections to open Scholarships. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the Warden and Fellows, or the consent of the Warden, is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present: Provided that the great seal of the College shall not be affixed to any act or document except in the presence of the Warden or his Vice-Gerent and a majority of all the Fellows. Whenever the votes shall be equal, the Warden shall have an additional casting vote. All the Fellows, without distinction of faculty or standing in the College, shall be entitled to be present and vote at every College meeting. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided, that the Warden and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think

fit) the notice to be given before bringing forward any question, as they shall deem expedient.

43. The power which is given by the existing Statutes to the Sub-Warden to act in place of the Warden, and the power of any officer of the College who may hereafter be authorized by any Statute or Bye-law to act in place of the Warden, shall be deemed to extend to all the acts which the Warden is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Warden's emoluments.

44. All provisions of the existing Statutes regulating or limiting the number of members of the College required or permitted to study or graduate in any particular faculty shall be void.

45. No member of the College who may be charged with any offence shall, by reason of any provision in the existing Statutes, be prohibited or restrained from calling for a copy of the charges made against him, or for the name or names of the person or persons making such charges.

46. The particular provisions of the existing Statutes respecting the subjects of study and instruction within the College, the disputations and other exercises to be performed by its members, and their attendance in the Schools and at the exercises of the University; and respecting the devotions, dress, conversation, recreations, and other personal habits of the members of the College, and the hours and conditions of their going beyond the precincts of the College; and respecting the meals of the members of the College, and the mode of serving and conducting the same; and respecting the loans to be made and other assistance to be given to members of the College on taking degrees and otherwise; and respecting the inquiries to be made into the life and conduct of the members of the College, and the mode of making the same; and respecting the punishments for offences not being such as require deprivation; and respecting the treatment and support of Fellows and Scholars in case of sickness or infirmity; and respecting the distribution of the rooms, and the use of the common hall and other common rooms or buildings of the College; and respecting the use of the Library; and respecting the

times of opening and closing the gates and doors of the College; and respecting the admission of strangers into the precincts of the College; and respecting the reading of the Statutes; and respecting the service of the College, and the number, duties, and payment of the servants of the same; and respecting progresses and other matters relative to the supervision of the property of the College; and respecting the custody and inspection of the monies, plate, linen, and other goods of the College other than the muniments and seals, shall be henceforth void. The Warden and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions or any of them are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby, as is herein-after provided.

47. The electors to Scholarships in Winchester College shall not, in electing thereto, be bound to observe the regulations contained in the existing Statutes of New College relative to the subjects of examination of candidates for such Scholarships, and the limit of eligibility in respect of age.

48. If in any case it shall appear to the Visitor that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor, from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

49. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, once in every ten years (or oftener, if and whenever he shall deem it ex-

pedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit at other times, to require the Warden and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

50. As often as any question shall arise on which the Warden and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the Warden and Fellows, or for the Warden or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

51. It shall be lawful for the Warden, or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Warden and Fellows, and for any Scholar who may have been deprived of his Scholarship, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence, as he shall deem just.

52. It shall be lawful for the Visitor, either *proprio motu* or on the complaint of the Warden or of any of the Fellows, to disallow and annul any bye-law or resolution of the Warden and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

53. The Warden and Fellows, by a majority consisting of not less than two thirds of the votes of those present, the vote of the Warden being counted as two votes, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's

Printers' copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor.

54. Whenever the words "the Fellows," or "the Warden "and Fellows," are used in this Ordinance, the word "Fel- "lows" shall mean actual Fellows. Fellows not having taken the degree of Bachelor of Arts in some University, or passed all the examinations required by the University of Oxford for that degree, shall not, by virtue of this Ordinance, be entitled to any voice or power in amending Statutes or making regulations under this Ordinance, nor to any voice or power in the affairs of the College, or in the affairs of Winchester College, to which undergraduate Fellows are not entitled under the existing Statutes.

55. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal this 19th day of March 1857.

L. S.

Ordinance for the appropriation of a portion of the revenues of New College in aid of the Professoriate of the University, and respecting certain Exhibitions within the College, framed by the Commissioners.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act

" to make further Provision for the good Government and " Extension of the University of Oxford, of the Colleges " therein, and of the College of St. Mary Winchester," ordain as follows in relation to the College of Saint Mary of Winchester in the said University, otherwise and herein-after called New College:—

As soon as the number of Fellowships and that of Scholarships within the College shall have been respectively made up to Thirty, pursuant to the provisions in that behalf of an Ordinance made by us in relation to the said College, and dated the Nineteenth day of March one thousand eight hundred and fifty-seven, an annual sum shall, from the Twenty-fifth of March or the Twenty-ninth of September then next ensuing (whichever of those days shall first happen), become payable, and shall always thereafter be paid out of the corporate revenues of the College to each of the two Savilian Professors within the University for the time being. The said annual payment to each Professor shall be One hundred and fifty pounds for the first five years after the same shall become payable, and Three hundred pounds after the expiration of such five years. This direction and the charge hereby imposed on the revenues of the College shall take precedence of the direction contained in the aforesaid Ordinance, that the number of Fellowships shall be further increased to forty. If any Professor shall, after the said charge shall have come into operation, fail to reside within the University for six calendar months between the Tenth day of October in any year and the First day of the next ensuing July, he shall forfeit one year's payment of the annual sum appropriated to him, unless previous leave of absence, or a subsequent dispensation in respect of the default, shall have been granted to him, on account of sickness or any other very urgent cause, by or by authority of the University; and the payment so forfeited shall sink into the divisible revenues of the College.

In appointments to the Exhibition of the foundation of Nicholas Aspinall, clerk, no person shall be ineligible or entitled to preference by reason of his place of birth.

It shall be lawful for the Warden and Fellows to dispose in every year of the emoluments specified in the Schedule

hereto, in such manner as they shall deem best for promoting study and improvement among the undergraduate members of the College, or to bestow the same, or any of them, on such undergraduate members of the College as they may deem to stand in need of support at the University.

SCHEDULE.

The Exhibitions of the foundation of Dr. Thomas Wells, for Fellows of the College.

The Exhibitions of the foundation of Dr. William Fleshmonger, for Fellows of the College.

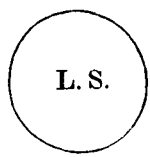
The Exhibitions of the foundation of Mr. John Smith, for Fellows of the College.

The Exhibitions of the foundation of Dr. Thomas Millinge, for Fellows of the College.

The Exhibitions of the foundation of John White, sometime Lord Bishop of Winchester, for Fellows of the College.

The Exhibitions of the foundation of Dr. Christopher Rawlins, for Fellows and Scholars of the College.

Given under our Common Seal this Twenty-fourth day of June one thousand eight hundred and fifty-seven.



ORDINANCE

CONCERNING

WINCHESTER COLLEGE.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to "make further Provision for the good Government and Ex- "tension of the University of Oxford, of the Colleges therein, "and of the College of Saint Mary Winchester," ordain as follows in relation to the College of Saint Mary of Winchester, near Winchester, otherwise and herein-after called Winchester College:—

1. No person shall be incapable of being elected or appointed Warden of the said College by reason of his not being or not having been a Fellow thereof, or a Fellow of the College of Saint Mary of Winchester in the University of Oxford, otherwise and herein-after called New College. No person shall be capable of being elected or appointed who shall not be a Priest of the United Church of England and Ireland, and either a Graduate in Theology or Law, or a Master of Arts. The electors shall choose, and in case of lapse the Bishop of Winchester for the time being shall appoint, the person (being otherwise duly qualified according to the Statutes of the College in force for the time being,) who

in their or his judgment, as the case may be, shall be most fit for the government of the College as a place of religion, learning, and education.

2. The Warden shall be required to reside in the College eight calendar months at least in each year: Provided, that in case of the Warden's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the Warden's residence for such a period as may seem to the Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the Warden.

3. The Warden and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Wardenship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect; and may also from time to time regulate, increase, or diminish the Warden's emoluments, whether commuted or uncommuted, as they shall think proper: Provided, that no exercise of this power shall affect the person then being Warden without his consent: Provided also, that the Visitor, upon the petition of the Warden or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

4. If at any time it shall appear that the Warden has become permanently incapable of performing the duties of his office, the Sub-Warden shall, upon the request of any two or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Warden (as the case may be), it shall appear to the satisfaction of the Visitor that the Warden has become permanently incapable of performing his duties, then the Visitor shall nominate one of such two Fellows as, by the

vote of the greatest number of the Fellows present at a meeting convened by the Sub-Warden, shall be presented to him, to be Pro-Warden of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one third) of the Warden's emoluments as the Visitor shall think fit; provided that the Warden shall be at liberty to retain his lodgings. And such Pro-Warden shall, so long as the Warden shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties and have all the powers and authorities of Warden, except the power of consenting to any commutation, regulation, or diminution of the Warden's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes, and in the same manner. If any Pro-Warden shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-Warden in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Warden's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

5. In elections to Fellowships within the College, the electors shall (subject to the provisions in that behalf of the Statutes in force for the time being) choose that person who shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education. The preference given by the existing Statutes to those who are or have been Fellows of New College shall be extended alike to the Master, Usher, and Assistant Masters of the school of Winchester College for the time being, and to those who shall have held any of the said offices, and to those who shall have been educated for two years at the said school. No person shall be entitled to preference by reason of his place of birth.

6. Thirty days at least before the day of election to a Fellowship, notice of such intended election, and of the conditions of election, shall be given by the Warden, in such manner as he shall deem best adapted to ensure publicity.

7. It shall be lawful for the Warden and Fellows to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Warden and Fellows shall, by resolution, from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the time and mode of election thereto, may also be determined by the Warden and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

8. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the College, contained in the existing Statutes, shall be henceforth void. Such regulations respecting the residence of Fellows and Scholars within the College, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow or Scholar, as may be expedient for the interests of the College as a place of learning and education, shall be made with all convenient speed, and may be varied from time to time, and may be enforced by pecuniary penalties, and in case of non-compliance, by deprivation. Such regulations shall be made and varied, so far as they may relate to Fellows, by the Warden and Fellows; so far as they may relate to Scholars, by the Warden alone.

9. Thirty additional Scholarships shall be established and maintained within the College; and twenty Exhibitions, of the annual value of Fifty pounds each, shall be established and maintained within the school of the College.

10. The first, third, fifth, and seventh Fellowships, or, if the Warden and Fellows shall deem it more desirable for the interests of the College, the second, fourth, sixth, and eighth, which shall become vacant after the approval of this Ordinance by Her Majesty in Council shall not be filled up, and the emoluments thereof shall be applied, together with any other available resources of the College, in establishing and maintaining the said thirty Scholarships and twenty Exhibitions.

The emoluments of the Fellowships hereby directed to be not filled up shall be the sums which would in each year have been payable to the holders of the same if the same had been filled up. If any Fellowship or Fellowships shall be vacant at the time of the approval aforesaid, such Fellowship or Fellowships shall, for the purposes of this Ordinance, be considered as having become vacant immediately after such approval.

11. Provision shall be made from time to time by the Warden and Fellows for the board of the Scholars out of the revenues of the College, in lieu of the commons assigned to them by the existing Statutes. No Scholar shall be entitled to receive any special allowances in respect of his being of the blood or kindred of the Founder.

12. In elections to Scholarships within the College, no person shall be either entitled to preference or ineligible by reason of his being or not being of the blood or kindred of William of Wykeham, the Founder of the College, or by reason of his place of birth. No person shall be ineligible by reason of his having any bodily imperfection which might operate as a disqualification for Holy Orders, or of his not being instructed in plain song, or by reason of any restriction in respect of property or pecuniary circumstances contained in the existing Statutes; but the electors may refuse to admit as a candidate any one whom they may deem to be not in need of a Scholarship, and all other things being equal in candidates, shall have regard to the pecuniary circumstances of such candidates. No person shall be eligible to a Scholarship who shall have attained the age of fourteen years. The conditions of tenure in respect of age shall be the same for all persons, whether of the blood or kindred of the Founder or not.

13. The candidates for Scholarships shall be examined in such subjects as the electors shall from time to time determine, and those candidates (being otherwise duly qualified according to the Statutes in force for the time being) shall be elected, who after such examination shall appear to the electors to be most proficient and most fit to be Scholars of the College.

14. The electors to the Scholarships of Winchester College and to those of New College shall not, in electing thereto, be bound to observe any regulations contained in the existing

Statutes of Winchester College, which shall be inconsistent with the Statutes of New College in force for the time being.

15. It shall be lawful for the electors to Scholarships, so soon as in their judgment it can be done without injustice to the candidates of the year in which the change shall be made, to discontinue the practice of electing to prospective vacancies.

16. The Warden and Fellows may deprive any Scholar of his Scholarship for any misconduct which in their judgment shall merit deprivation, subject to such appeal to the Visitor as is herein-after provided.

17. No Fellow of New College shall be incapable of being appointed an elector to the Scholarships of Winchester College by reason of his faculty.

18. The electors, and the time and mode of examination and election, and the conditions of election in reference to superior proficiency and fitness, shall be the same in the case of Exhibitions as in the case of Scholarships; but no person shall be eligible to an Exhibition who shall have attained the age of fifteen years; and all other things being equal in candidates, the electors shall have regard to the pecuniary circumstances of such candidates.

19. Thirty days at least before the annual day of election to Scholarships and Exhibitions, notice of such intended election shall be given by the Warden of Winchester College, in such manner as he shall deem best adapted to ensure publicity.

20. Every Scholar who shall be elected to an Exhibition shall thereby vacate his Scholarship, and every Exhibitioner who shall be elected to a Scholarship shall thereby vacate his Exhibition.

21. The Master of the School shall, immediately before every annual election to Scholarships and Exhibitions, make a report to the electors respecting the conduct and proficiency of each Exhibitioner; and it shall be lawful for the electors, or the major part of them, on such report, to terminate any Exhibitioner's tenure of his Exhibition. Subject to the foregoing provision, each Exhibitioner shall hold his Exhibition as long as he remains at the school, or until he is elected to a Scholarship. The Exhibitioners shall be subject to such

regulations respecting residence at the school as the Warden shall from time to time appoint.

22. Eight Exhibitions shall be established previous to any increase in the number of Scholarships; the relative rate at which the remaining twelve Exhibitions, and the thirty additional Scholarships shall be established, shall be in the discretion of the Warden and Fellows.

23. When the thirty additional Scholarships shall have been established, it shall be lawful for the Warden and Fellows, if they shall have sufficient means at their disposal, to increase the number of Exhibitions to forty; and when the number of Exhibitions shall have been increased to forty, it shall be lawful, in like manner, for the Warden and Fellows to restore the four Fellowships herein-before directed to be not filled up.

24. In addition to the branches of instruction specifically mentioned in the Statutes, the Scholars and Exhibitioners shall be instructed in the mathematical and physical sciences, and such other branches of instruction as are proper to complete a liberal and religious education.

25. The number of Fellowships within the College shall never be less than six, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the Warden and not less than three fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Warden and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

26. The Warden and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall

also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College.

27. The Warden and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

28. The Warden and Fellows may, if they shall think fit, commute the allowances now payable to Fellows, or any part thereof, for annual stipends or aliquot shares of the corporate revenues of the College. It shall be lawful for the Visitor, upon the petition of any person who shall be a Fellow at the time of such commutation being determined on, and shall conceive himself aggrieved thereby, to disallow such commutation, if he shall think fit.

29. The Warden and Fellows may from time to time appoint such officers as they may deem expedient for the better instruction and discipline of the school, and may assign to such officers such stipends or emoluments as the Warden and Fellows shall think proper.

30. The Warden shall, as soon as conveniently may be, make regulations for the performance of Divine Service according to the Liturgy of the United Church of England and Ireland, within the College, and for attendance on the same, and may vary such regulations from time to time; but the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

31. The oaths prescribed by the existing Statutes shall not hereafter be taken; but every person elected or admitted to any place or office (other than a Scholarship), on election or admission to which an oath is now required, shall, at the time of his election or admission, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office, and obey the Statutes and Bye-

laws of the College in force for the time being, so far as they may concern him; and the electors to any place or office before electing to which an oath is now required (not being an annual office), shall, before electing, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

32. The Common Seal of the College may be affixed by the Warden, if he shall think fit, to any act or document at any meeting at which the major part of all the Fellows shall be present, with the consent of the major part of the Fellows so present.

33. The power which is given by the existing Statutes to the Sub-Warden to act in place of the Warden, and the power of any officer of the College who may hereafter be authorized by any Statute or Bye-law to act in place of the Warden, shall be deemed to extend to all the acts which the Warden is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Warden's emoluments.

34. The particular provisions of the existing Statutes respecting the devotions, dress, recreations, and other personal habits of the members of the College, and the clothing to be provided for them respectively, and the conditions of their going beyond the precincts of the College; and respecting the meals of the members of the College, and the mode of serving and conducting the same; and respecting the inquiries to be made into the life and conduct of the members of the College, and the mode of making the same; and respecting the punishments for offences not being such as require deprivation; and respecting the treatment and support of Fellows and Scholars in case of sickness or infirmity; and respecting the distribution of the rooms, and the use of the common hall and other common rooms or buildings of the College; and respecting the use of the Library; and respecting the times of opening and closing the gates and doors of the College; and respecting the admission of strangers into the precincts of the College; and respecting the reading of the Statutes; and respecting the service of the College; and

respecting progresses and other matters relative to the supervision of the property of the College; and respecting the custody and inspection of the monies, plate, and other goods of the College other than the muniments and seals, shall be henceforth void. Such regulations shall be made from time to time as may be deemed necessary or desirable for effecting the main objects which the aforesaid particular provisions or any of them are respectively intended to effect; and may be enforced by such penalties as may be thought fit, subject to such right of appeal to the Visitor as is herein-after provided. Such regulations shall be made, so far as they may relate to the Warden and Fellows, by the Warden and Fellows; and so far as they may relate to Scholars, by the Warden alone.

35. No member of the College who may be charged with any offence shall by reason of any provision in the existing Statutes, be prohibited or restrained from calling for a copy of the charges made against him, or for the name or names of the person or persons making such charges.

36. If in any case it shall appear to the Visitor that, by reason of any change in the value of money, any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor, from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

37. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a Col-

lege, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit, at other times, to require the Warden and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

38. As often as any question shall arise on which the Warden and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the Warden and Fellows, or for the Warden or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

39. It shall be lawful for the Warden, or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Warden and Fellows, and for any Scholar who shall have been deprived of his Scholarship, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence, as he shall deem just.

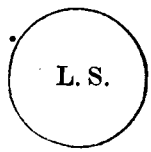
40. It shall be lawful for the Visitor, either *proprio motu*, or on the complaint of the Warden or of any of the Fellows, to disallow and annul any bye-law or resolution of the Warden and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

41. The Warden and Fellows, by a majority consisting of not less than two thirds of the votes of those present at a meeting convened by the Warden for that purpose, may from time to time, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor.

42. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College,

and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal this Fifth day of June, one thousand eight hundred and fifty-seven.



STATUTES

OF

LINÇOLN COLLEGE,

MADE BY

THE RECTOR AND FELLOWS.

PAGE

Præfatio 219

CAP. I. De Visitatore 222

II. De modo Electionis, et de causis Amotionis et Recessus a Collegio 222

III. De tribus Officiariis Collegii, et de modo Eligendi Rectorem 225

IV. De Gradibus Eligendorum, et de absentia Collegarum a Collegio 228

V. De duobus Magnis Capitulis et certis modis Scrutinia faciendi in eisdem; et de modo Eligendi Officiarios 229

VI. De Emolumentis Rectoris et Sociorum 231

VII. De Numero Sociorum diminuendo 232

VIII. De speciali Cista ad promovendam eruditionem et disciplinam Collegii nostri adhibenda 233

IX. De Tutoribus 234

X. De Scholaribus nostri Collegii 235

XI. De Officio Divino, Sermonibus dicendis, et de Commemoratione Fundatorum et Benefactorum 237

XII. De Ecclesiis nostro Collegio annexis et appropriatis 237

STATUTES

OF

LINCOLN COLLEGE.

PRÆFATIO.

UNIVERSIS Christi Fidelibus præsens opusculum visuris seu lecturis, quod quidem opusculum Liber Statutorum Collegii Beatæ Mariæ et omnium Sanctorum Lincoln. in Universitate Oxon. nuncupandum est, Salutem in Domino sempiternam.

Quum abolim recolendæ memoriæ RICARDUS FLEMING, divinâ permissione Lincolniensis Episcopus, ad exaltationem fidei orthodoxæ et profectum sanæ doctrinæ, dictum Collegium unius Rectoris et septem Sociorum, et duorum Capellanorum ad voluntatem Rectoris amotivorum, fundavit; et ad idem sustentandum Ecclesias Omnium Sanctorum et Sancti Michaelis in urbe Oxoniæ, cum suis juribus et pertinentiis, appropriandas curavit:

Et quum, licentiâ regiâ obtentâ A. D. 1478, felicis memoriæ THOMAS ROTHERAM, permissione divinâ Lincolniensis Episcopus et postea Archiepiscopus Eboracensis, quinque Socios prioribus septem Sociis apponi, associari, et uniri decrevit, sic ut in Collegio nostro essent Rector et duodecim Socii perpetui; et ad idem melius sustentandum Ecclesias de Combe Longâ in comitatu Oxon. et de Twyford in comitatu

Buck., cum suis juribus et pertinentiis, appropriandas curavit; et insuper quædam Statuta Rectori et duodecim Sociis in perpetuum observanda imposuit:

Et cum multi alii Benefactores, eandem pietatem æmulantes, terras et pecunias et reditus, pro meliori sustentatione dicti Collegii, diversis temporibus dederunt, vel supremis tabulis legaverunt:

Et cum per Compositionem A. D. 1536 factam cum Viro bonæ memoriæ EDVARDO DARBY, Archidiacono de Stowe, Rector et Socii se et successores obligârunt ad tres perpetuos Socios sustentandos, et admittendos ad omnia jura, emolumenta, et privilegia, quæ Socii veteris fundationis haberent; e quibus unum per Dominum Episcopum Lincolniensem in perpetuum nominari statutum est:

Porro cum circiter A. D. 1568 ROBERTUS TRAPPES Collegio nostro certas pecunias legavit, quibus terræ perquisitæ sunt, ad quatuor Scholares exhibendos:

Et cum circiter A. D. 1685 THOMAS MARSHALL, Rector, quandam summam pecuniariam ad Scholares quosdam exhibendos Collegio nostro legavit:

Et cum A.D. 1721 NATHANIEL BARO CREWE, Episcopus Dunelmensis, munificentissimus ille Benefactor, certos reditus ad duodecim Communarios exhibendos supremis tabulis legavit:

Et cum idem Nathaniel Baro Crewe ad meliorem sustentationem prædictorum Scholarium et Bibliotistæ et insuper Capellanorum quatuor Ecclesiarum certos reditus legavit:

Et cum A. D. 1725 JOANNES THOROLD, Baronettus, olim Socius, summam pecuniariam pro meliori sustentatione Bibliotistæ dedit:

Et cum A.D. 1781 RICARDUS HUTCHINS, Rector, Collegii nostri amicissimus, ad meliorem sustentationem prædictorum Scholarium, Communariorum, et Bibliotistæ, et ad alia opera caritativa, largas pecunias testamento legavit, quibus terræ postea acquisitæ sunt:

Et cum A. D. 1802, per pecunias multis ante annis a JOHANNE MORLEY, Rectore, datas et legatas, terræ Collegio nostro perquisitæ sunt ad meliorem sustentationem Rectoris Collegii nostri:

Et cum A. D. 1847 ELIZABETHA TATHAM, Vidua Ed-

vardi Tatham, olim Rectoris, summam pecuniariam ad unum Scholarem sustentandum legavit:

Et cum A. D. 1851 JOANNES RADFORD, Rector, Collegii nostri longè omnium amicissimus, cum multis aliis laudabilibus beneficiis, summam pecuniariam ad unum Scholarem sustentandum legavit:

Et cum, per mutationes temporum et morum, Statuta per prædictum Thomam Rotheram edita in multis rebus abierunt in desuetudinem, et increbuerunt Consuetudines illis et prædictæ Compositioni Edvardi Darby incongruæ:

Et cum visum sit expedire Statuta et Ordinationes Collegii nostri mutare, emendare, reformare, ac insuper de novo addere, secundum id quod augmento et prosperitati Collegii dicti maximè utile videretur et regimini Universitatis accommodum; itemque numerum Sociorum, qui nunc longâ consuetudine obtinet, omni dubitatione sublatâ, in futurum constituere; et Exhibitionarios, qui nunc sunt, ordinationibus quæ eos concernunt emendatis et in unum redactis, ac diminuto numero, auctis emolumentis, ad Scholarium statum et nomen promovere:

Placuit igitur nobis Rectori et Scholaribus Collegii Lincolniensis, legi a Parliamento A.D. 1854 sancitæ obsequentibus, tum Statuta prædicta Thomæ Rotheram et Compositionem Edvardi Darby, tum Ordinationes et Consuetudines, quæ stabilitæ sunt vel accreverunt de prædictis Scholaribus, duodecim Exhibitionariis, et Bibliotistâ, et de aliis rebus per testamenta Roberti Trappes, Thomæ Marshall, Nathanielis Baronis Crewe, et Ricardi Hutchins ordinatis, sive quocunque alio modo in Collegio nostro exortis, expurgare, emendare, reformare, et in unum Corpus Statutorum conjicere; ita tamen ut ab antiquis Statutis longius non abiretur, quam vel necessitas vel dispar sæculi genius requireret: sub quibus Statutis Rector et Socii et Successores sui, cæterique Collegii nostri alumni, vivere debeant et teneantur in posterum.

Quod quidem Corpus Statutorum in Capita distinximus modo et formâ sequentibus.

CAP. I.

DE VISITATORE.

Statuimus quod Episcopus Lincolniensis, pro tempore existens, Patronus Collegii nostri et Visitator existat et nuncupetur in perpetuum. Ille auctoritatem et potestatem habeat singula Statuta in dubiis interpretandi, dummodo tamen nihil mutetur neque diminuatur de substantiâ Statutorum. Et si prætextu alicujus Electionis vel cujuscunque alterius causæ in Collegio nostro aliqua lis seu controversia orta fuerit, quæ honesto modo infra Collegium nostrum sedari non poterit, tunc ad prædictum Episcopum, si extiterit infra regnum, vel ad Vicarium ejus Generalem in ejus absentiâ, vel, sede vacante, ad Capitulum Ecclesiæ Cathedralis Lincolniæ, appellationem fieri permittimus. Quorum cujuslibet judicio vel decreto in eâdem materiâ litis omnino omnes Collegas Collegii nostri stare volumus et assentire, et ab illo nullo modo ad alium judicem appellare.

CAP. II.

DE MODO ELECTIONIS ET DE CAUSIS AMOTIONIS ET RECESSÛS A COLLEGIO.

Statuimus quod in Collegio nostro de cætero sint Rector et duodecim Socii perpetui, qui tempore electionis suæ sint Reipublicæ nostræ participes, et fidem Ecclesiæ Anglicanæ amplectentes, et graduati, vel saltem ex iis qui Examinationes omnes ab Universitate pro Gradu Artium Baccalaurei requisitas subierint. Electio Sociorum fiat in Capellâ Collegii per Rectorem, vel in ejus absentiâ per Subrectorem, infra quatuor menses postquam constiterit Rectori de vacantiâ alicujus Collegæ; et tunc ad electionem novi, omnimodis fraude et dolis postpositis, procedatur sub hâc formâ. Diem examinationi et diem electioni a Rectore et Sociis assignatas, et cætera, quæ Candidatorum scire intersit, quam latissimè usitatis modis nota faciat Rector, aut eo absente Subrector. Pateat autem Societas non iis tantum, qui in literis Græcis

et Latinis se profecisse probaverint, sed etiam aliarum bonarum artium peritis juvenibus; et eligentes, Deum præ oculis habentes, iis e Candidatis, quos moribus et scientiâ optimos ex animo judicaverint, suffragia dent. Die autem electionis, post matutinas preces, Rector, aut eo absente Subrector, et Senior Socius præsens audiant vota singulorum, incipiendo a junioribus; et in quem major pars, vel in casu quod sit æqualitas vocum Rector, vel in ejus absentiâ Subrector, consenserit, (voce ipsius Rectoris pro duabus computatâ, si præsens extiterit,) ille pro electo habeatur, et absque morâ per Rectorem, vel eo absente per Subrectorem, pronuncietur electus.

Quæ vero electio infra tres dies ab ejus inchoatione infallibiliter terminetur, et sic electus infra mensem per Rectorem, vel eo absente Subrectorem, admittatur, titulo Probationarii, ad unius anni probationem; per quem pro provisione percipiat pensionem e munificentiâ Baronis Crewe oriundam, et dimidium ordinariorum emolumentorum unius Socii more solito computandorum, unà cum solidis residenti assignatis, ut infra provisum erit; et post annum probationis exactum, nisi judicio Rectoris et Sociorum inhabilis repertus fuerit, ad jus Collegii admittatur, et eodem tempore omnia privilegia et emolumenta Collegæ perpetui Collegii nostri ingredi permittatur.

Statuimus etiam quod, priusquam aliquis admittatur in Collegam perpetuum, subsequens juramentum, tactis sacrosanctis Dei Evangeliis, præstet sub hæc verba: "Ego N. juro per hæc sancta Dei Evangelia, quod pro modulo meo Statuta et Consuetudines laudabiles hujus Collegii, in quantum me concernunt, dum ero Collega ejusdem, observabo: ita me Deus adjuvet in die ultimi judicii."

Cuilibet vero Collegæ promoto annus immediatè sequens, a tempore suæ promotionis computandus, ad participandum omnia commoda et profectus, sicut prius, conceditur, ita ut ultra annum integrum nullus sic promotus percipiat nec cameras nec communias nec aliquid de Collegii bonis, tanquam Socius, sed omnino careat jure Societatis Collegii.

Volumus tamen quod e prædictis duodecim Sociis perpetuis unus per Dominum Episcopum Lincolniensem, Visitatorem Collegii nostri, pro tempore existentem, nominetur et præficiatur.

Nec jus Collegii perdat quisquam, nisi ex causis infra memoratis.

Si promotus fuerit ad aliquod Beneficium Ecclesiasticum, quod de patronatu Collegii existit; vel si aliud Beneficium Ecclesiasticum ultra valorem trecentarum librarum obtinuerit; vel si habeat certos reditus undequaque provenientes, qui duplici ratione excedant Societatis suæ valorem, sicut e modulo septem annorum immediatè præcedentium computatus erit.

Volumus autem Rectorem hâc ordinatione non obligari.

Similiter jus Collegii perdat quilibet notoriè incontinens, vel aliàs quomodolibet criminosus, si judicio Rectoris et majoris partis Sociorum incorrigibilis censeatur.

Præterea, si testimonio fide dignorum innotescere poterit Rectori et majori parti Sociorum, quod aliquis Sociorum alicui hæreticæ opinioni contumaciter faverit, res ad Visitatorem deferatur. Visitatoris autem erit dictum Socium ad se citare, et eo præsente, vel etiam post citationem debite factam absente, rem cognoscere, et dictum Socium, si testimonio fide dignorum convictus fuerit neque opinionem hæreticam retractaverit, a Collegio amovere.*

Socii vero, qui conjugati fiant, uno anno a die matrimonii sui exacto, jus Societatis perdant.

Liceat autem Rectori, salvo officio suo, uxorem ducere.

Et quod spectat ad Ecclesias Omnium Sanctorum et Sancti Michaelis, si quando sub jurisdictione Episcopi Oxoniensis sint, liceat Capellanis uxores ducere, salvo jure Societatis suæ, sub his conditionibus: neque Collegii Officiarii nec Tutores fiant; et, si in officio Capellani permanere noluerint, infra annum jus Societatis perdant.

* The paragraph "Præterea—amovere," printed in the text, was substituted by the Commissioners on the 11th of July 1856 for the following, which had been framed by the Rector and Fellows, but had been disallowed by Her Majesty in Council:—

"Præterea, si innotescere poterit Rectori et majori parti Sociorum, quod aliquis Sociorum alicui hæreticæ opinioni in communicatione privatâ vel publicâ malitiosè et contumaciter faverit, a Collegio nostro pro perpetuo amoveatur; si non infra sex dies post monitionem factam se Rectori submittat, correctionem humiliter subeundo."

CAP. III.

DE TRIBUS OFFICIARIIS COLLEGII ET DE MODO ELIGENDI RECTOREM.

Respublica sine Rege, populus sine principe, et communitas sine capite, considerâtione sanâ et morali monstra meritò dici possunt. Hinc est, quod constituimus in Collegio nostro Rectorem præesse ut caput, quem et sic vulgariter appellari volumus; cui Collegæ cæteri, discipuli, et servientes honestate quâ debeant obtemperent et obediant. Cujus electionis seu præfectionis modus talis erit.

Die limitato et præfixo per Subrectorem et Socios ad omne ultimum infra mensem post vacantiam, si in pleno termino vacaverit, si in vacatione, infra duos vel quatuor menses, congregentur Socii in Capellâ Collegii, et dicantur preces matutinæ per Subrectorem, vel per aliquem Sociorum, quem assignaverit. Quibus dictis, Subrector assumat secum seniorem Socium præsentem; et simul sedentes juxta altare scrutentur vota singulorum; et ille de Collegis, vel qui olim fuit Collega, vel, si eligentibus ita videatur, aliquis alius ad minus Magister Artium hujus Universitatis, in quem major pars consenserit, aut illa medietas cum quâ concordat Subrector, pro electo habeatur; et, lectis per Subrectorem vocibus in communi, per eundem immediatè pronuntietur electus sub tali formâ: "Ego N. hujus Collegii Subrector alias Corrector talem etc., quem major pars Sociorum, aut medietas illa cui ego adhæreo, elegerit in Rectorem hujus loci, canonicè electum pronuncio, in nomine Patris et Filii et Spiritûs Sancti." Et statim electus, si præsens sit, aut absens cum venerit, coram altari genuflectet, Subrectore alias Correctore sic dicente, "Salvum fac servum tuum, Domine." *Resp.* "Deus meus, sperantem in te." "Dominus nobiscum. Oremus. Actiones nostras quæsumus, Domine, aspirando præveni, &c."

Et statim scribantur literæ sub sigillo communi Collegii Domino Episcopo Lincolniensi, vel ejus Vicario Generali, in casu quod Dominus sit extra regnum Angliæ, tali modo. "Reverendo in Christo Patri et Domino Domino nostro Lincolniensi Episcopo, seu ejus Vicario Generali, devoti vestri et

fideles Subrector alias Corrector dictus et Socii Collegii Beatæ Mariæ et Omnium Sanctorum Lincoln. in Universitate Oxon. obedientiam et reverentiam. Vacante nuper officio Rectoris dicti vestri Collegii per mortem vel cessionem talis etc., ultimi Rectoris ejusdem, juxta Statuta nostri Collegii nos ad electionem procedentes talem in Rectorem nostrum elegimus, vestram paternitatem implorantes, ut ipsum in Rectorem Collegii nostri admittere dignemini, et cætera agere, quæ vestro incumbunt officio et utilitati Collegii vestri, gratiosè cum favore. Datum sub sigillo nostro." Et statim, si non appareat contradictor, qui electionem impugnet, Dominus Episcopus, vel ejus Vicarius, ipsum admittat vivâ voce tantum, et regimen Collegii tradat ei, scribatque Subrectori alias Correctori pro ejus installatione; et Subrector, receptis literis mandatoriis Episcopi vel ejus Vicarii Generalis, installet eum in principali stallo Ecclesiæ Collegiatæ, cum literis testimonialibus suæ installationis sigillatis communi sigillo Collegii. Si autem appareat contradictor, tunc Dominus Episcopus examinet causam in audientiâ; qui, si ita videbitur, accedens ad Collegium discutiat, si juxta Statuta ejusdem electio fuerit ritè celebrata vel non, et Deum habens pro oculis faciat justitiæ complementum.

Sit autem in Collegio nostro secundus post Rectorem, et in absentiâ ejus Rectoris vices supplens, vocandus Subrector alias Corrector. Subrector eandem in omnibus auctoritatem, quatenus regimen curamque Sociorum et sojornantium cæteraque Collegii negotia spectabit, absente Rectore vel ob causam quamcunque incompetente, exercebit, quæ Rectori ipsi conceditur; præsente autem Rectore subordinatam, sic ut penes illum sit omnes, quibus præficitur, continere in officio, pœnasque minores sive mulctas, si quis forte deliquerit, infligere, et disciplinam usitatam Collegii observandam curare. In majoribus autem delictis consulatur semper Rector, et, si quis discipulorum expulsione sive in tempus relegatione (quod absit) dignus videatur, adhibeantur etiam Socii in consilio, quorum judicio controversia omnis terminabitur. Proviso quod in electionibus Sociorum vel Collegii Officiariorum, si Rector absit vel sit incompetens, vox Subrectoris non pro duabus computetur. Proviso etiam quod in absentiâ Sub-

rectoris senior Socius præsens in omnibus rebus officio ejus fungatur.

Præterea sit in Collegio nostro tertius Officiarius vocandus Thesaurarius vel Bursarius, qui reditus omnes Collegii recipiat, et Mancipii et Coqui cæterorumque servientium curam habeat. Ita tamen ut nullum servientem ad officium admittat neque expellat sine consensu Rectoris; solvenda solvat, cavens sibi ut omnia fideliter scribat, et etiam omni anno, in crastino Sancti Thomæ Apostoli, de omnibus collectis et receptis, liberatis et expensis, totius anni fidelem computum reddat coram Rectore et ipso non præsente coram Subrectore et aliis Sociis præsentibus. Et in fine cujuslibet Termini, si ita Rectori et Sociis videatur, ostendat Rectori et Sociis recepta et expensa illius Termini, ut ipsi cautius agere possint, si quid mali acciderit in proximo Termino. Ad hunc pertineat reparatio redituum cum assensu Rectoris et majoris partis Sociorum. Ad hunc insuper pertineat custodia dispensatoria totius stauri domûs, regimen promptuarii et coquinæ, ordinatio pro focalibus et cæteris necessariis. Ita tamen ut nihil agat contra voluntatem Rectoris et majoris partis Sociorum. Volumus etiam quod Thesaurarius sufficientem cautionem interponat fide-jussoriam, de officio suo fideliter exercendo et fidelem computum receptorum et expensorum reddendo, ad satisfactionem Rectoris et Sociorum.

Item volumus quod sigillum commune, necnon munimenta originalia quæcunque Collegium nostrum concernentia, in superiori camerâ super ostium principale situatâ reponantur et conserventur; cujus quidem cameræ tres diversas claves inter se habeant divisas Rector, Subrector, et Thesaurarius.

Insuper pro salario percipiant Subrector sive Corrector et Thesaurarius, quicquid Rectori et majori parti Sociorum æquum videbitur.

CAP. IV.

DE GRADIBUS ELIGENDORUM ET DE ABSENTIÁ COLLEGARUM A COLLEGIO.

Statuimus et inviolabiliter ordinamus, quod nullus in nostri Collegii Collegam perpetuum admittatur, nisi sit ad minus Baccalaureus Artium; et quod eligendus talis sit infra decem annos post admissionem in Sacerdotio constitutus, cujus contrarium quicumque fecerit a numero Sociorum amoveatur, nisi aliquod impedimentum occurrat per Rectorem approbatum et majorem partem Sociorum.

Volumus etiam quod unusquisque Socius gradum magistratûs assumat, cum primum tempus isti gradui capessendo constitutum habuerit, nisi impedimentum occurrat per Rectorem approbatum et majorem partem Sociorum, sub pœnâ expulsionis a Collegio.

Ordinamus autem quod nemo in Rectorem eligatur, nisi sit in Sacerdotio constitutus, et ad minus Artium Magister.

Licebit autem duobus e Sociis facultati Juris Civilis vel Medicinæ vel cuilibet Artium Humaniorum intendere, quos Statuto de sacris ordinibus obligari non volumus.

Cuique Socio, non Officiario, conceditur licentia, si petiverit, se a Collegio per unum annum absentandi; quæ licentia a Rectore et Sociis continuetur, nisi ob causam rationabilem Rectori et majori parti Sociorum approbandam. Si vero licentia se absentandi non concessa fuerit, et ritè prænonitus Socius infra tres menses ad Collegium redire noluerit, puniatur per subtractionem emolumentorum, quantum Rectori et Sociis videatur. Officiarii, nempe Rector, Subrector, et Thesaurarius, et Tutores in pleno Termino, sicut rationi consentaneum est, resideant, nisi in negotiis Collegii occupati fuerint, aut aliam rationabilem causam habuerint, per Rectorem et Socios approbandam. Cujus contrarium quicunque fecerit, mulctetur quantum Rectori et Sociis videatur. Ille vero pro absenti habeatur, qui residebit ultra præcinctum Universitatis in clausulâ 48 legis A. D. 1854 in Parliamento sancitæ definitum. Conceditur tamen cuilibet per vacationes libera voluntas se absentandi.

CAP. V.

DE DUOBUS MAGNIS CAPITULIS ET CERTIS MODIS SCRUTINIA FACIENDI IN EISDEM: ET DE MODO ELIGENDI OFFICIARIOS.

Ad Electionem duorum Officiariorum, Subrectoris, aliter dicti Correctoris, et Thesaurarii, omnibusque Collegio nostro necessariis communicandis fructuosè et expediendis, duo magna Capitula quolibet anno celebrari volumus. Primum in die sexto Novembris, nisi Dominica fuerit, et tunc in crastino, horâ usitatâ dicantur preces per Rectorem vel per aliquem Sociorum. Deinde, ut Capitula Statutorum nostrorum recentiori teneantur memoriâ, una medietas eorum a juniori præsente recitetur. Quo facto, eligantur Officiarii, Subrector scil. et Thesaurarius, pro anno sequenti, vel renoventur electi. Quorum electio ita fiet. In eodem Capitulo Rector, et, eo non præsente, Subrector, et senior Socius præsens, audient vota singulorum, et in quos major pars præsentium, seu illa medietas cui adhæret Rector, voce ipsius Rectoris pro duabus computatâ, ut prius, consenserit, in Subrectorem et Thesaurarium pro anno futuro eligantur; quibus post electionem omnia pertinentia eorum officiis tradantur, ut electi recipiant et eorum officia exequantur sine contradictione aliquâ, sub pœnâ expulsionis a Collegio. In Subrectorem vero ille eligatur e Sociis, qui morum gravitate et sobrietate ad regimen Collegii administrandum aptus videatur; item in Thesaurarium ille e Sociis, qui propter diligentiam, et, si talis reperiri poterit, experientiam in rebus hujusmodi, idoneus ad res pecuniarias Collegii curandas videatur; cauto tamen, quod nullus e Tutoribus ad hoc munus admittatur, nisi ex causâ urgente. Societati proponantur causæ absentationis Rectoris et Sociorum, si qui abesse velint, et licentia se absentandi cuique vel concedatur vel recusetur, prout Rectori et majori parti Sociorum magis expedire videatur. Denique, in hoc Capitulo, Thesaurarius Collegii statum Societati exponat; Rector et Socii videant quid reparationis factum fuerit anno præterito, et quid oporteat fieri anno sequente; de reparatione redituum

et de majoribus Collegii negotiis inter se tractent, inquirant, et consilium ineant; et de omnibus talibus fiat fructuosa communicatio et bona conclusio de actis et agendis, prout Rectori et majori parti Sociorum videbitur expediens.

Secundum nempe Capitulum magnum post festum Paschæ, in die sexto mensis Maii, nisi Dominica fuerit, et tunc in crastino inchoetur, ut prius in altero magno Capitulo. Post preces matutinas altera medietas Statutorum recitetur a juniori præsente, ita ut omnia Statuta semel in anno legantur. Hoc facto, fiet et electio Camerarum vacantium pro proximo anno futuro, si quæ Camerarum vacaverint, sub hâc formâ. Primo eligat senior Socius Cameram vacantem, si velit; si autem locum mutare non decreverit, tunc Socius qui stet proximus, et sic per singulos usque ad juniorem descendendo, liberam habeat electionem. Societati proponantur causæ absentationis Rectoris et Sociorum, et licentia se absentandi vel concedatur vel recusetur, ut in priori magno Capitulo. Insuper, in hoc Capitulo, ut in priori, provisio fiet de reparationibus fiendis et de cæteris Collegii negotiis: circa quæ omnia quilibet liberè aperiat mentem suam incipiendo a junioribus, in ultimis Rector, et eo non præsente Subrector, concludat conceptum suum.

Insuper, ultra duo magna Capitula, Societas per Rectorem, et eo absente per Subrectorem, convocetur ad deliberandum de Collegii negotiis alias, quandocumque Rectori et eo absente Subrectori, vel duobus aliis quibuscumque, videbitur. Ab hujusmodi congressibus nullus Sociorum in Universitate commorantium se absentet, ante duos dies debitè præmonitus, nisi ex causâ rationabili, sub pœnâ mulctæ decem solidorum toties quoties. Porro in quolibet tum Capitulo magno, tum congressu ordinario, omnes, dum aliquis loquitur, silentium præstent, nec quisquam sæpissimè de câdem materiâ interstrepat; et, postquam omnes sententiam suam protulerint, res, de quâ agatur, per Rectorem, et eo absente per Subrectorem, judicio præsentium absque morâ proponatur; et conceptui Rectoris et majoris partis Sociorum in negotiis Collegii sine contradictione aliquâ omnino stabitur. Proviso semper quod in congressu ordinario numerus præsentium quinario non minor sit, scil. Rectoris, vel eo absente Subrectoris, et quatuor

Sociorum: proviso etiam quod in die crastino Sancti Thomæ Apostoli, ad auditionem computorum limitato, Rector et Socii præsentes capaces erunt ad omnia negotia ordinaria Collegii tractanda, vel si numerus præsentium minor sit quinario.

CAP. VI.

DE EMOLUMENTIS RECTORIS ET SOCIORUM.

De communiis Rectoris et Sociorum ordinamus, quod cuique, quamdiu residebit, in quâlibet Hebdomadâ duo solidi pro expensis in promptuario assignentur. Præterea in pleno Termino Rector et Socius quisque unum solidum percipiat, quandocumque in Aulâ Collegii horâ per Rectorem et Subrectorem limitândâ prandebit. Nullusque Sociorum, imo nec Rector, in suâ absentiâ percipiet aliquid pro suis communiis nec alicui alteri assignabit. Computabitque Mancipium communias et expensa hujusmodi unâquâque Septimanâ die Veneris. Habebunt insuper omnes Socii liberè communium servientium obsequia. Ad quæ onera supportanda, unà cum reparationibus fiendis ædificiorum et cæteris quæ expensa erunt ad negotia necessaria Collegii et possessiones spectantia, volumus quod veteres reditus reserventur, unà cum reditibus cubiculorum qui ad Socios non pertineant, et tantâ portione incrementorum, quæ vocant, et cæterarum casualium receptionum, quanta de tempore in tempus Rectori et Sociis videatur. Summa autem totalis, quæ supersit, incrementorum et cæterorum receptorum, ad provisionem, quam vocant, Rectoris, et Sociorum, et Probationariorum si qui sint, et in certos alios usus est applicanda, modo et formâ sequentibus. Antequam numerus Sociorum defalcatus erit, secundum quod in Capite septimo expressum est, summa prædicta inter Rectorem et Socios annuatim dividatur, Rectore pro duobus Sociis habito. Cum autem de numero Sociorum facta erit subtractio sive unius sive duorum Sociorum (ut alterutrum fieri contigerit) summa prædicta in quatuordecim portiones dividatur, quarum sive una sive duæ (secundum occasionem) in speciali cistâ infra memoratâ reponatur vel reponantur; summa autem, quæ supersit, inter Rectorem et Socios dividatur.

Denique post annos triginta exactos, summa prædicta in duas plures portiones, quam sint Socii, dividatur, Rectore pro duobus Sociis habito, quarum duæ in cistam specialem transferantur, et Rector duas, Socius quisque unam percipiat. Et volumus quod semper in posterum modo prædicto distribuatur, sic ut duæ portiones summæ totalis prædictæ in cistam specialem transferantur. Proviso etiam quod in summâ totali in portiones, ut præmittitur, distribuendâ habeatur ratio tum portionum Probationariorum si qui sint, tum temporis per quod quisque locum Socii reipsâ tenuerit, vel vacantia sive vacantiæ duraverint, ita ut, si necesse erit, vel in hebdomadales portiones summa totalis distribuatur et in hebdomadalibus portionibus assignetur. Proviso insuper quod pensiones e munificentiâ Nathanielis Baronis Crewe provenientes Rectori et Sociis modo consueto solvantur, ita ut Rector viginti libras, et Socius quisque decem libras, annuatim percipiat, vel medietatem, si per partem tantum anni locum suum tenuerit; proviso etiam quod pensiones ex eâdem munificentiâ provenientes, si quæ ad locos vacantes pertineant, in cistâ speciali reponantur. Proviso insuper quod Rector quoque percipiat reditus terrarum in parochiâ de Twyford acquisitarum per pecunias a Johanne Morley, olim Rectore, datas.

Huic Statuto adjicimus, quod, salvis juribus Rectoris et Sociorum hodie existentium, emolumenta ordinaria unius Socii, unà cum solidis residenti assignatis, libras trecentas annuatim non excedant; ita tamen ut si in anno quolibet reditus Collegii summam prædictam excesserint, liceat defectum vel defectus annorum sequentium suppeditare.

CAP. VII.

DE NUMERO SOCIORUM DIMINUENDO.

Quia in Statutis nostris facta est specialis ordinatio de uno Rectore et duodecim Sociis, hodiè autem ad ea onera supportanda et ad cætera insuper facienda, de quibus in his Statutis provisum est, reditus non sufficiunt; licebit Rectori et Sociis per annos ad omne ultimum triginta ab hoc tempore computandos, subtractionem facere de numero Sociorum ad numerum denarium, quandocumque Societatem unam vel So-

cietates duas vacare contigerit, prout Collegio nostro expedire sibi videbitur. Stipendia vero et emolumenta ordinaria Societatis vacantis vel Societatum vacantium in speciali cistâ infrâ memoratâ reponantur. Postquam autem anni triginta exacti erunt, et reditus Collegii nostri, ut speramus, accreverint, ita ut ad omnia onera supportanda tam ordinaria quam cætera extraordinaria sufficiant, tunc numerus Sociorum ad duodenarium accrescat, sic ut in Collegio nostro sint Rector et duodecim Socii.

Et ut ista sic repetita meliorem seu pleniorem sortiantur effectum, si quisquam alius in futuro, spiritu piæ devotionis inductus, dictum nostrum Collegium de bonis suis augere, et Socios vel Scholares potioribus donis ampliare intenderit, scil. in vestitu, in salario, vel quocumque alio modo, sive numerum Scholarium augere, cum gratiarum actione ipsum vel ipsos ad hoc devotissimè supplicantes et rogantes, licentiam concedimus specialem; ita tamen quod Statuta in hoc Corpore comprehensa quoad substantiam salva permaneant et illæsa.

CAP. VIII.

DE SPECIALI CISTÂ AD PROMOVENDAM ERUDITIONEM ET DISCIPLINAM COLLEGII NOSTRI ADHIBENDÂ.

Expedire visum est, quod, quum primum fieri poterit, pecuniæ in certos usus infra specificatos adhibendæ comparentur et reserventur. Statuimus ergo quod stipendia Subrectori, Moderatoribus, et Lectori in Græcâ Linguâ, e liberalitate Ricardi Hutchins olim Rectoris provenientia, ipsis nihil diutius solvantur, sed in cistam reponantur nuncupandam specialem. In eâdem cistâ etiam annuatim reponantur reditus et proventus ordinarii Societatis unius vel Societatum duarum, quam vel quas placuerit vacuam vel vacuas permanere, ut in Capite sexto expressum est. Annis autem triginta exactis ab hoc tempore computandis, duæ portiones summæ ad provisionem Rectoris et Sociorum applicandæ in speciali cistâ reponantur, ut in Capite sexto copiosius explicatum est. Volumus quidem quod ex his pecuniis Subrectori salarium annuatim solvatur, quod Rectori et Sociis æquum videbitur, sed in nullo casu minus quam quod ipse e liberalitate

R. Hutchins percipere consuevit. Solvantur quoque Tutoribus Collegii salaria, quæ Rectori et Sociis videantur, in nullo tamen casu minora, quam Moderatores et Lector in Linguâ Græcâ ab eâdem liberalitate percipere consueverunt. Volumus etiam quod ex hâc cistâ de tempore in tempus secundum judicium Rectoris et Sociorum in subventionem et meliorem sustentationem communis cistæ Scholarium infra memoratæ pecuniæ assignentur. Denique licebit Rectori et Sociis Scholaribus et Discipulis Collegii nostri præmia dare vel summas pecuniarias assignare, quibus, si quando expediverit, Prælectores aliunde parentur, et generaliter hanc cistam adhibere ad eruditionem et disciplinam Collegii nostri promovendam.

CAP. IX.

DE TUTORIBUS.

Quoniam Collegio nostro jamdudum in usum venit juvenes in bonis artibus instruendos in gremium suum recipere, volumus quod Communarii sive Commensales per Rectorem et in ejus absentiâ per Subrectorem admittantur, quot de tempore in tempus visum erit; nemo autem admittatur, nisi literas exhibuerit bonos mores suos præ se ferentes, et per Rectorem vel per aliquem Tutorum ritè examinatus fuerit. Et præterea volumus quod Rector ad Scholares cæterosque discipulos in bonis artibus informandos Tutores, quot sibi de tempore in tempus videbitur, e Sociis assumat. Pupilli Tutoribus pareant honoremque paternum ac reverentiam deferant, quorum studium labor et diligentia in illis ad pietatem et scientiam informandis ponantur. Tutores sedulo quæ docenda sunt doceant, quæque etiam agenda instruant admoneantque. Quum autem non omnia possumus omnes, si contigerit Tutores cuilibet scientiæ, quæ in Universitate colitur vel colenda erit, minus posse vacare, discipulis e speciali cistâ pro judicio Rectoris et majoris partis Sociorum summa assignetur, quâ sibi in illâ Scientiâ Prælectores aliunde parentur. Feoda autem, quæ pro honorario discipuli Tutoribus pendent, Rector statuet. Tutores insuper de speciali cistâ percipiant, quantum Rectori et majori parti Sociorum videbitur.

CAP. X.

DE SCHOLARIBUS NOSTRI COLLEGII.

Non dubium est, quin sit ad augmentum Collegii nostri et ad profectum sanæ doctrinæ Scholares et Exhibitionarios nostros tales esse, qui sint adolescentes bonis moribus, et ad progrediendum in eruditione et bonis literis quam aptissimi. Et, quia Benefactores nostri, Nathaniel Baro Crewe et Ricardus Hutchins, qui, ut supra memoratum est, pecunias et reditus ad Scholares et Exhibitionarios sustentandos legaverunt, summo amore erga Collegium ducti; id augere et honorem ejus ampliare præcipuè voluerunt, consentaneum videtur piæ eorum intentioni ordinationes quasdam per supremas eorum tabulas sancitas emendare, quò ista intentio meliorem obtineat effectum. Idcirco visum est, maturâ deliberatione habitâ, quod omnia et singula Statuta, Ordinationes, et Consuetudines, cum de Scholaribus veteris fundationis, tum de Exhibitionariis ex fundatione Nathanielis Baronis Crewe, quantum spectat ad numerum, emolumenta, conditiones sub quibus eligantur et locos suos teneant, et cætera ad dictos Scholares et Exhibitionarios spectantia, quocumque modo et quibuscumque de causis provenerint, aboleantur, abrogentur, et rescindantur in posterum. Quorum vice Statutorum, Ordinationum, et Consuetudinum hæ Ordinationes vim et effectum sortiantur. Reditus e legatis Roberti Trappes et Thomæ Marshall annuatim oriundi, necnon reditus e munificentiâ Nathanielis Baronis Crewe et Ricardi Hutchins annuatim oriundi, in quantum hi ad Scholares et Exhibitionarios spectent, in communi cistâ nuncupandâ Scholarium reponantur. Sint in Collegio nostro quatuor Scholares Veteris Fundationis nuncupandi, octo Scholares ex fundatione Nathanielis Baronis Crewe nuncupandi, et quatuor Scholares ex fundatione Ricardi Hutchins nuncupandi, qui per Rectorem et Socios eligantur. Quando locus alicujus Scholaris vacaverit, ad electionem novi procedatur vel in eodem Termino vel in sequenti, prout Rectori et majori parti Sociorum magis expedire videbitur. Illos vero eligi volumus, qui in Literis Humanioribus, in Disciplinis

Mathematicis et Physicis, et aliis bonis artibus rite examinati se maximè profecisse probaverint. Scholaris unusquisque libras quinquaginta annuatim percipiat, et insuper, quamdiu in Universitate studendi causâ residebit, alia emolumenta quæ Rectori et Sociis videantur, quæ omnia emolumenta Scholaribus solvantur e communi cistâ prædictâ. Scholaris unusquisque locum teneat usque ad Terminum sextum decimum a die Matriculationis computandum, et ad vicesimum si Rectori et Sociis tali honore dignus videatur: reservatâ tamen potestate Rectori et Sociis, si quis Scholaris eorum judicio malè se gesserit, vel judicio Tutorum otiosus sit et minimè vacans libris, per subtractionem stipendii vel amotionem a loco suo puniendi, secundum discretionem Rectoris et majoris partis Sociorum; bona enim tam eximia Scholaribus nostris præparata sunt eâ lege, ut optimè se gerant, et non aliter. Numerus vero et emolumenta Scholarium de tempore in tempus, secundum conditionem cistæ prædictæ, per Rectorem et Socios ordinentur, ita ut crescentibus reditibus numerus vel emolumenta vel ambo eorum continuò augeantur, deficientibus autem reditibus numerus minuatur.

Cum autem existit unus Scholaris ex fundatione Elizabethæ Tatham, Viduæ Edvardi Tatham, olim Rectoris, et alter Scholaris ex fundatione Johannis Radford, nuper Rectoris, volumus ordinationes de illis Scholaribus salvas permanere et immutatas; nisi quod Rectori et Sociis licebit emolumenta eorum e cistâ communi prædictâ augere, quoties et in quantum videbitur opportunum.

Denique de Bibliotistâ, volumus quod Rector eum assumat, ut antiquitus consuevit; qui percipiat stipendia sibi a liberalitate Nathanielis Baronis Crewe, et Johannis Thorold, Baronetti, annuatim oriunda, necnon insuper e cistâ communi Scholarium prædictâ et de pecuniis Collegii quantum Rectori et Sociis visum erit: proviso tamen quod Rectori licebit, quoties ei placuerit, de tempore in tempus duos Bibliotistas designare, quorum cuique medietas una emolumentorum assignetur.

CAP. XI.

DE OFFICIO DIVINO, SERMONIBUS DICENDIS, ET DE COMMEMORATIONE FUNDATORUM ET BENEFACTORUM.

Statuimus quod unâquâque die in pleno Termino in horâ per Rectorem limitandâ preces matutinæ et vespertinæ per aliquem Sociorum in Capellâ Collegii dicantur, quibus omnes, tum Socii tum sojornantes, intersint. Et omni anno in festo Omnium Sanctorum Rector per seipsum, si præsens sit, et ad hoc dispositus, inque opposito casu per alium, sermonem in vulgari dicat in Ecclesiâ Omnium Sanctorum; cui sermoni volumus omnes, tum Socios tum sojornantes, adesse. Ante quem prædicator commemorationem faciat de Ricardo Fleming et Thomâ Rotheram cæterisque Benefactoribus Collegii nostri. Similiter bis in anno, scil. in utroque magno Capitulo, matutinis precibus, per Rectorem vel eo absente per Subrectorem dicatur expressa et grata commemoratio de Fundatoribus et Benefactoribus.

Statuimus quoque quod per quemcunque Collegii nostri publicè coram Universitate concionaturum, in precatione ante concionem, fiat grata commemoratio de Fundatoribus et principalibus Benefactoribus, scil. Ricardo Fleming et Thomâ Rotheram Fundatoribus, Thomâ Beckington, Episcopo Bathoniensi et Wellensi, Gulielmo Smyth, Episcopo Lincolniensi, Edmundo Audley, Episcopo Sarisburiensi, Edvardo Darby, Archidiacono de Stowe, Nathanieli Barone Crewe, Episcopo Dunelmensi.

CAP. XII.

DE ECCLESIIS NOSTRO COLLEGIO ANNEXIS ET APPROPRIATIS.

Statuimus de Ecclesiis Collegio nostro appropriatis, quod Rector Capellanos, qui ad curam Parochianorum deserviant et divina in Ecclesiis peragant, secundum antiquam consuetudi-

nem assumat; et quantum spectat ad Ecclesias Omnium Sanctorum et Sancti Michaelis, si quando sub jurisdictione Episcopi Oxoniensis sint, Rector et Socii, salvo jure Rectoris hodie existentis, assumant Capellanos. Et pro Ecclesiâ de Twyford statuimus, quod Rector Collegii nostri, qui pro tempore fuerit, in perpetuum, colligat et recipiat omnes reditus et proventus dictæ Ecclesiæ, et eos in proprios usus, nomine feudi sui, pro officio suo convertat; et decem libras Collegio nostro pro prædictis proventibus de claro solvat annuatim, reparationes competentes faciat, pro Capellano ibidem videat et ejus stipendium solvat, et generaliter omnia onera cujuscunque generis ferat et subeat.

Denique his Statutis ordinando adjicimus, quod omnes interpretationes per Episcopos Lincolnienses Visitatores nostros editæ, et omnia et singula anteriorum sæculorum Statuta, Compositiones, et Consuetudines Collegii nostri, quæ Statutis in hoc Corpore comprehensis ullatenus aut eorum alicui repugnaverint, aut ex intentione hujus Corporis seu alicujus ejusdem clausulæ pro supervacuis, abolendis, aut resecandis sint habita, pro abolitis resecatis abrogatis et rescissis habeantur, et aboleantur, abrogentur, et rescindantur in perpetuum.

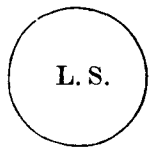
Quoniam autem currente sæculo fieri potest, ut multa, quæ nunc sunt in usu, mutatis moribus minus congrua sint, reservetur semper Rectori et Sociis potestas Statuta singula emendandi, transmutandi, meliorandi, augmentandi, diminuendi, plura condendi, sub his conditionibus. Emendationes, quæ expedire visæ erunt, primum in Capitulo magno proponantur; sequenti vero Capitulo Rector et Socii de iis inter se tractent, inquirant, et consilium ineant; quæ vero ab iis approbatæ et postea a Visitatore sancitæ erunt, fiant Statuta Collegii nostri.*

Actis his Ordinationibus per nos Rectorem et Scholares

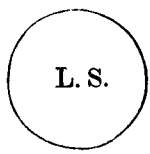
* Here followed another paragraph, which was disallowed by Her Majesty in Council:—

"Volumus insuper quod jura Rectoris et Sociorum, qui pro tempore erunt, salva permaneant et illæsa, his Statutis non obstantibus."

Collegii Lincolniensis, et propositis in approbationem Commissionariorum, anno 1854 a Parliamento designatorum, Commune Sigillum nostrum affixum est octavo die mensis Octobris Anno Domini Millesimo Octingentesimo Quinquagesimo Quinto.



Nos dicti Commissionarii has Ordinationes hodie nobis a Collegio Lincolniensi propositas Communi Sigillo nostro affixo approbavimus nono die mensis Octobris Anno Domini Millesimo Octingentesimo Quinquagesimo Quinto.



ORDINANCE

CONCERNING

ALL SOULS COLLEGE.

ORDINANCE

CONCERNING

ALL SOULS COLLEGE.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to "make further Provision for the good Government and Ex- "tension of the University of Oxford, of the Colleges therein, "and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to All Souls College, in the said University:—

1. The election of the Warden of the said College shall be vested in the Fellows of the College present at the time of election. As soon as it shall have become known that a vacancy has occurred in the office of Warden, the Sub-Warden, or in his absence the senior Fellow in residence, shall convene a meeting of the Fellows. Such meeting shall appoint a day and hour for the election of a Warden, and the Sub-Warden, or in his absence the senior Fellow in residence, as the case may be, shall convene a meeting of the electors for that day and hour. The day of election shall not be less than fifteen nor more than thirty days from the day on which the occurrence of the vacancy shall have become known. No person shall be elected or appointed Warden who shall not be a Master of Arts, or a Doctor of Theology, Civil Law, or

Medicine; but no person shall be incapable of being elected or appointed by reason of his not being or not having been a Fellow of the College. The electors shall choose, and in case of lapse, the Archbishop of Canterbury for the time being shall appoint, the person (being otherwise duly qualified according to the Statutes in force for the time being,) who, in their or his judgment, as the case may be, shall be most fit for the government of the College as a place of religion and learning. That person in whose favour the greatest number of the electors shall have voted, shall be declared to be elected. If the votes shall be equal, the Sub-Warden, or in his absence the senior Fellow present, shall give an additional casting vote. Such election being made, the Sub-Warden or senior Fellow present at the election, as the case may be, shall forthwith communicate to the Visitor the name of the person elected; and the Visitor shall confirm the election, unless it shall appear to him that such person is not duly qualified according to the Statutes in force for the time being. If the Visitor shall refuse to confirm the election, he shall notify such refusal to the Sub-Warden, or the senior Fellow present at the election, as the case may be; and the Fellows shall, within ten days of such notification by the Visitor, proceed in manner and form aforesaid to elect two persons whom they shall consider duly qualified for the office; and the Sub-Warden, or in his absence the senior Fellow present at the last-mentioned election, shall thereupon communicate to the Visitor the names of the persons so elected, of whom the Visitor shall nominate one, being qualified as aforesaid, to be Warden of the College.

2. The Warden shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided that in case of the Warden's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the Warden's residence for such a period as may seem to the Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing statutes relating to the residence of the Warden.

3. The Warden and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the War-

denship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Warden's emoluments, whether commuted or uncommuted, as they shall think proper: Provided that no exercise of this power shall affect the person then being Warden without his consent: Provided also that the Visitor, upon the petition of the Warden or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

4. If at any time it shall appear that the Warden has become permanently incapable of performing the duties of his office, the Sub-Warden shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Warden (as the case may be), it shall appear to the satisfaction of the Visitor that the Warden has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Sub-Warden, shall be presented to him, to be Pro-Warden of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one third) of the Warden's emoluments as the Visitor shall think fit; provided that the Warden shall be at liberty to retain his lodgings. And such Pro-Warden shall, so long as the Warden shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Warden, except the power of consenting to any commutation, regulation, or diminution of the Warden's emoluments, and shall be

bound to residence in the same manner, and shall be liable to deprivation for the same causes, and in the same manner. If any Pro-Warden shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-Warden in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Warden's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

5. The election of Fellows shall be vested in the Warden and the Fellows present at the time of election; and that candidate shall be deemed elected for whom the greatest number of votes shall have been given.

6. In elections to Fellowships no person shall be either entitled to preference or ineligible by reason of his place of birth, or of the condition of his parents, or of his pecuniary circumstances; or of his being or not being of the kindred of Archbishop Chicheley, the Founder of the College; and no person shall be ineligible by reason of his not being of legitimate birth, or of his age, or of his faculty, or of his not being qualified or disposed to take Holy Orders, or of his not being instructed in plain song: Provided that no person shall be eligible who shall be in possession of any benefice which, if acquired after election, would have disqualified him for continuing a Fellow, nor any person who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, and shall not either have been placed in the First Class in one at least of the Public Examinations of the University, or have obtained some Prize or Scholarship within the University unattached to any College or Hall and open to general competition among the members of the University. In case any Prize or Scholarship shall hereafter be founded by the Warden and Fellows for the encouragement of studies recognized in the school of Jurisprudence and Modern History, persons who shall have obtained such Prize or Scholarship shall be qualified for election to a Fellowship in the same manner as persons who have obtained any such Prize or Scholarship as above mentioned.

7. Thirty days at least before the day of election to a

Fellowship, notice of every intended election, and of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Warden in such manner as he shall deem best adapted to secure publicity.

8. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects recognized in the school of Jurisprudence and Modern History within the University as the Warden and Fellows shall determine; and the Warden and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion and learning, with special reference to the subjects recognized in the said school.

9. Every person elected to a Fellowship shall undergo probation for one year from the day of his election inclusive, and at the end of such year shall be admitted an actual Fellow, if found fit in the judgment of the Warden and Fellows. Every person admitted to probation shall receive, during the year of probation, the same emoluments as if he had been admitted an actual Fellow.

10. Every Fellow who shall be instituted to an ecclesiastical benefice in the gift of the College, (being a benefice with cure of souls,) and shall retain such benefice for twelve calendar months from the day of his institution thereto, shall, if the annual value of such benefice, clear of deductions (except for property or income tax), shall exceed Three hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

11. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without any period of probation, and although the persons elected be married, and although they be in possession of any benefice which would in ordinary cases render the possessor ineligible, and although they may not have passed the examinations required by the University for

the degree of Bachelor of Arts, and may not have been placed in the first class at any of the Public Examinations of the University, or have obtained any such Scholarship or Prize as aforesaid, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

(*a.*) Any Professor or Public Lecturer within the University, for whose election a majority of the votes of the Warden and all the Fellows shall have been given, the Warden's vote being counted as two votes.

(*b.*) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma or by decree of Convocation, or any honorary degree; provided that two thirds of the votes of the Warden and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid, the Warden's vote being counted as two votes.

12. The election in such excepted cases shall always be held more than thirty days before the usual day of election, and the electors may at the time of election determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges; provided also that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

13. Any Fellow who shall marry, or become possessed of any benefice which would in ordinary cases disqualify him for continuing a Fellow, may nevertheless, if he shall then be a Professor or Public Lecturer within the University, be retained in his Fellowship by a majority of the votes of the Warden and all the Fellows, or, if he shall be Principal of any Hall (not being a private Hall), by two thirds of the votes of the Warden and all the Fellows, the Warden's vote being in each case counted as two votes; provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

14. Any Fellow elected under clause 11, or retained under clause 13, shall be deemed entitled to hold his Fellowship although he may afterwards marry.

15. Any person elected under clause 11, or retained under clause 13, who at the time of his election or retention shall hold any such benefice as aforesaid, (or, being a Professor or Public Lecturer, any benefice with cure of souls,) and who shall retain such benefice for six calendar months afterwards, shall thereby vacate his Fellowship: and any Professor or Public Lecturer so elected or retained, who shall afterwards be instituted to any benefice with cure of souls, shall thereby vacate his Fellowship. Every Professor, Public Lecturer, or Principal of a Hall, so elected or retained, who shall cease to hold such Professorship, Public Lecturership, or Principalship, shall thereby vacate his Fellowship.

16. It shall be lawful for the Warden and Fellows at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Warden and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Warden and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

17. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University shall thereupon vacate his Fellowship.

18. The provisions respecting the residence of Fellows, and the mode of granting leave of absence from the University, contained in the existing Statutes, shall be henceforth void. The Warden and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows within the University, and respecting the mode in which, and the conditions under which, leave of absence may be granted to any

Fellow, as they may deem expedient for the interests of the College as a place of learning, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and, in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Warden and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes, which shall be binding on the members of the College. No non-resident Fellow shall be entitled to retain rooms within the College.

19. No present or future Fellow shall be required, as a condition of retaining his Fellowship, to take Holy Orders, or not being in Holy Orders, to study Theology.

20. Every Fellow shall be required to take either the degree of Master of Arts, or the degrees of Bachelor and Doctor of Civil Law, or those of Bachelor and Doctor of Medicine, within one year after the time at which he shall be of sufficient standing to take those degrees respectively by the Statutes of the University, and in case of non-compliance shall vacate his Fellowship: Provided that the Warden and Fellows may, whenever they shall deem it just or expedient to do so, allow the taking of any such degree to be postponed for a period not exceeding, except in case of unsoundness of mind, one additional year. All provisions of the existing Statutes regulating or limiting the number of members of the College required or permitted to study or graduate in any particular faculty shall be void.

21. The number of Fellowships within the College shall never be less than thirty, exclusive of the ten Fellowships herein-after directed to be not filled up, and of any Fellowship to which either of the Chicheley's Professors may, under clauses 43 and 44, be elected, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the Warden and not less than three fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Warden and Fellows, if the same shall appear to be

insufficient, or of founding Scholarships or Exhibitions, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion and learning.

22. The Warden and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than Three hundred pounds a year, (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances,) to direct either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in the foundation of Scholarships, or Exhibitions, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Warden and Fellows, with the approbation of the Visitor, shall determine.

23. No Fellow hereafter to be elected shall be entitled to receive larger emoluments in respect of his Fellowship than any other Fellow by reason of his being of superior standing, or by reason of his faculty or academical degree.

24. The Warden and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

25. No member of the College shall be precluded by reason of anything contained in the existing Statutes from applying for or taking advantage of graces granted by the University, or from proceeding to any degree at the earliest time allowed by the Statutes and Regulations of the University.

26. No Fellow shall be disabled by reason of anything contained in the existing Statutes from voting at any election or admission, or from doing or taking part in any act or proceeding as a Fellow, on account of his faculty; and all provisions of the existing Statutes, whereby the concurrence of any specified proportion of the Fellows of any particular faculty is made requisite for any act or proceeding of the College, shall be henceforth void.

27. The power of depriving the Warden for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him after due inquiry upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Warden and Fellows, and shall be exercised by the vote of the major part of the Warden and all the Fellows, subject only to such appeal to the Visitor as is herein-after provided; provided that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

28. Whenever there shall be no duly qualified candidate for a vacant Fellowship, whom the electors shall judge of sufficient merit for election, and whenever a Fellowship shall fall vacant, and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to some other day, to be fixed by the Warden and Fellows for the purpose, not later than the usual day of election of Fellows in the next year; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

29. The Warden and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Warden and Fellows shall think proper: Provided

that it shall be lawful for the Visitor, upon the petition of the Warden or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided also that the Wardenship shall not be deemed an office within the meaning of this clause.

30. The Warden and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the appointment of Chaplains, from among the Fellows or otherwise, and for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Warden and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service and the appointment of Chaplains shall be henceforth void.

31. In case the Warden or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland as by law established, such contumacious ceasing to conform shall be a cause for depriving the Warden of his Wardenship, and any such Fellow of his Fellowship.

32. The oaths prescribed by the existing Statutes shall not hereafter be taken. But every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall, at the time of his election or admission, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office, and obey the Statutes and Bye-laws of the College in force for the time being, so far as they may concern him; and the electors to any place or office, before electing to which an

oath is now required, (not being an annual office,) shall, before electing, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

33. There shall be two stated general meetings, at least, of the Warden and Fellows in every year, on such days as the Warden and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Warden shall be counted as two votes at all College meetings, and in the election, admission, and deprivation of Fellows. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the Warden and Fellows, or the consent of the Warden, is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present. Whenever the votes shall be equal, the Warden shall have an additional casting vote. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided that the Warden and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

34. The power which is given by the existing Statutes to the Sub-Warden to act in place of the Warden, and the power of any officer of the College who may hereafter be authorized by any Statute or Bye-law to act in place of the Warden, shall be deemed to extend to all the acts which the Warden is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Warden's emoluments.

35. The particular provisions of the existing Statutes respecting the disputations and other exercises to be performed

by the members of the College, and their attendance in the Schools and at the exercises of the University; and respecting the devotions, dress, conversation, recreations, and other personal habits of the members of the College, and the hours and conditions of their going beyond the precincts of the College; and respecting the loans to be made to members of the College; and respecting the meals of the members of the College, and the mode of conducting the same; and respecting the inquiries to be made into the life and conduct of the members of the College, and the mode of making the same; and respecting the punishment for offences not being such as require deprivation; and respecting the use of the common hall and other common rooms or buildings of the College; and respecting the use of the library; and respecting the admission of strangers into the precincts of the College; and respecting the reading of the Statutes; and respecting the number, duties, and payment of the servants of the College, and respecting progresses and other matters relative to the supervision of the property of the College; and respecting the custody and inspection of the monies, plate, and other goods of the College other than the muniments and seals, shall be void. The Warden and Fellows shall from time to time make such regulations as they may deem necessary or expedient for effecting the main objects which the aforesaid particular provisions, or any of them, are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby, as is herein-after provided.

36. If in any case it shall appear to the Visitor that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor, from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thence-

forth be substituted for and stand in the place of the sum originally fixed as aforesaid.

37. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit, at other times, to require the Warden and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

38. As often as any question shall arise on which the Warden and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the Warden and Fellows, or for the Warden or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

39. It shall be lawful for the Warden or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Warden and Fellows, and for any Exhibitioner who may have been deprived of his Exhibition, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow or annul such act or decision, and to reverse or vary such sentence, as he shall deem just.

40. It shall be lawful for the Visitor, either *proprio motu* or on the complaint of the Warden or any of the Fellows, to disallow and annul any bye-law or resolution of the Warden and Fellows, which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

41. The Archbishop of Canterbury for the time being shall not hereafter have the power of making new Statutes.

42. The Warden and Fellows, by a majority consisting of not less than two thirds of the votes of those present, the vote of the Warden being counted as two votes, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor.

43. The first, third, fifth, seventh, and ninth Fellowships which shall become vacant after the approval of this Ordinance by Her Majesty in Council shall not be filled up, and the emoluments thereof shall be applied to the maintenance within the University of a Professor of International Law and Diplomacy, to be called "Chicheley's Professor of International Law and Diplomacy." The election of the said Professor shall always be vested in the Visitor and the Warden of the College, the Lord High Chancellor of Great Britain, the Judge of the High Court of Admiralty, and Her Majesty's Secretary of State for Foreign affairs, for the time being, or the major part of them. The first election of a Professor shall take place as soon as three of the said five Fellowships shall have become vacant, or sooner if the persons holding the aforesaid offices, or the major part of them, shall so determine; and the emoluments which previously to that election shall have accrued from such of the said Fellowships as shall become vacant shall be invested and accumulated by the College, and paid with the accumulations to the first Professor on his election. The University may define by Statute, and from time to time regulate, the functions and duties of the Professor, and may provide for the performance of them by deputy in case of his unavoidable absence or incapacity, and for the suitable payment of any such deputy out of the Professor's emoluments, and may determine whether the Professor shall be permitted to receive any and what fees for attendance on his instructions, provided that no such fees shall be payable by any member of the College. The Professor shall reside in the University for six months at least, between the Tenth day of October in every year and the First

day of the next ensuing July, and in default thereof shall vacate his Professorship, unless leave of absence shall have been granted to him on account of sickness, or for any other very urgent cause, by or by authority of the University. It shall be lawful for the Vice-Chancellor and the Delegates of Appeals in Congregation, or the greater part of them, to deprive of his Professorship any Professor who, in their judgment, shall have been proved to be guilty of culpable negligence or misconduct in his office, grave immorality, or non-observance of the Statutes relating to him, reasonable notice in writing of the charge having been first given to the Professor by the Vice-Chancellor, to enable him to answer the same if he shall desire to do so. The University may by Statute regulate the mode of proceeding on any such charge as aforesaid, and limit the time allowed for giving notice. The Warden and Fellows may, if they shall think proper, elect the Professor to be a Fellow of the College without notice, examination, or probation, and although married, and although possessed of any benefice which would, in ordinary cases, render the possessor ineligible, and although he may not have passed the examinations required by the University for the degree of Bachelor of Arts, and may not have been placed in the First Class at any of the Public Examinations of the University, or have obtained any such Scholarship or Prize as aforesaid, provided he be otherwise qualified for election, and be not a Fellow of any other College within the University; but any Professor so elected a Fellow shall not be entitled in right of his Fellowship to any emoluments besides those attached to his Professorship, nor, if married, to rooms within the College, or any allowance in respect of rooms, and if he shall cease to hold the Professorship, shall vacate his Fellowship.

44. The eleventh, thirteenth, fifteenth, seventeenth, and nineteenth Fellowships which shall become vacant after the approval of this Ordinance shall not be filled up, and the emoluments thereof shall be applied to the maintenance within the University of a Professor of Modern History, to be called "Chicheley's Professor of Modern History." All the provisions of clause 43, relating to the election, deprivation, resi-

dence, functions, duties, and emoluments of the Professor of International Law and Diplomacy, and the period at which the first election of a Professor is to be held, and the power thereby given to the College of electing the Professor to a Fellowship, and the conditions under which such Fellowship shall be held, shall extend and be applicable *mutatis mutandis* to the said Professor of Modern History, as if repeated in this clause.

45. The Professors, although not elected Fellows, shall be entitled to participate with the Fellows in the use of the Chapel, Hall, and Library of the College, and shall take rank in College next after the Sub-Warden, and as between themselves in the order of their election.

46. The emoluments of any Fellowship herein-before directed to be applied to the maintenance of any Professorship shall be the sum which would in each year have been payable to the holder of the same if the same had been filled up, and if the person elected had resided in the University during the period required of him by the Statutes and Regulations of the College in force for the time being: Provided that it shall be lawful for the Warden and Fellows, at any time within five years after the time at which the last of the Fellowships hereby appropriated to each Professorship would, but for the provisions of this Ordinance, have been filled up, to commute the emoluments of all or any of the Fellowships appropriated to that Professorship, for a fixed annual sum of One hundred and fifty pounds each, payable out of the corporate revenues of the College, to the purposes to which the said emoluments are herein-before directed to be applied.

47. Any Fellowship or Fellowships which may be vacant when this Ordinance shall be approved as aforesaid shall, for the purposes of this Ordinance, be deemed to have become vacant immediately after such approval.

48. Whenever the words "the Fellows," or "the Warden and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows; and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

49. This Ordinance shall be without prejudice to any ex-

isting interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal, this 3rd day of April, 1857.

L. S.

ORDINANCE

CONCERNING

MAGDALEN COLLEGE.

ORDINANCE

CONCERNING

MAGDALEN COLLEGE.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to "make further Provision for the good Government and Ex- "tension of the University of Oxford, of the Colleges therein, "and of the College of Saint Mary Winchester," ordain as follows in relation to the College of Saint Mary Magdalen in the said University:—

1. The emoluments of every Demyship within the said College (other than the Demyship of any Demy entitled to succeed or be elected to a Fellowship by virtue of an interest acquired before the passing of the said Act,) shall be raised to not less than Seventy-five pounds per annum, inclusive of all allowances, whether for rooms, commons, tuition, or otherwise. And ten new Demyships of the same value shall be established and maintained within the College. There shall also be established and maintained within the College twenty Exhibitions, of the annual value of Seventy-five pounds each, inclusive of all allowances, whether for rooms, commons, tuition, or otherwise.

2. In lieu of the Prælectorships of Theology, Moral Philosophy, and Natural Philosophy, mentioned in the existing Statutes, there shall be founded and maintained within the

College a Professorship of Moral and Metaphysical Philosophy, a Professorship of Chemistry, a Professorship of Mineralogy, and a Professorship of Physical Geography. The said four Professorships shall be called Waynflete Professorships, and the stipend of each Professorship shall be Six hundred pounds per annum.

3. The aforesaid objects shall be carried into effect without prejudice to the rights of the present President, and of every Fellow of the College elected before the First day of July one thousand eight hundred and fifty-seven, or by virtue of an interest acquired before the passing of the said Act, to receive such emoluments as they respectively would have been entitled to receive if this Ordinance had not been made, and without prejudice also to the right of every future President to receive, in that character, emoluments not exceeding One thousand five hundred pounds per annum, and of every Fellow elected after the said First day of July to receive, in that character, emoluments not exceeding Two hundred and thirty pounds per annum. Subject to such rights, and without prejudice to the power of the President and Fellows to apply any part of the corporate revenues to the payment of College officers and other corporate purposes, the said several objects shall be charged upon and carried into effect out of the divisible corporate revenues of the College.

4. The first, third, fifth, seventh, ninth, eleventh, thirteenth, fifteenth, seventeenth, and nineteenth Fellowships which shall become vacant after the approval of this Ordinance by Her Majesty in Council, not being Fellowships to which there shall be any Demy entitled by virtue of an interest acquired before the passing of the said Act to succeed or be elected, shall not be filled up; and the emoluments thereof, from and after the times when the same respectively shall have become vacant, shall be applied towards carrying into effect the aforesaid objects, in aid of the corporate revenues herein-before made applicable to that purpose. Any Fellowship or Fellowships which may be vacant when this Ordinance shall be approved as aforesaid shall, for the purposes of this Ordinance, be deemed to have become vacant immediately after such approval. The emoluments of each of the said ten Fellowships shall be in every year, other than

the year next after the vacancy thereof, the sum of Two hundred and eighty-four pounds, which sum shall not be subject to increase or diminution for any cause whatever.

5. The funds which shall become available from the herein-before mentioned sources, shall be applied in carrying into effect the aforesaid objects *pari passu*, and as speedily as the amount available in each year will permit; provided that the augmentation of the value and number of the Demyships, and the establishment and maintenance of Exhibitions, (which Exhibitions shall be established as nearly as may be *pari passu* with the new Demyships,) shall in the apportionment of the said funds be reckoned as one object, so that in every year the amount allotted to those purposes collectively shall be equal to the amount appropriated to the maintenance of the Professorships.

6. When a gross annual sum of Two thousand five hundred and fifty pounds (exclusive of any annual sum for the time being paid to Prælectors, as herein-after mentioned) shall have been appropriated to the said objects in the proportions aforesaid, it shall be lawful for the President and Fellows from time to time thereafter to employ, with the consent of the Visitor, all or any part of the unappropriated residue of the funds so available in permanently improving the property of the College, until the revenues of the College shall be sufficient for enabling those objects to be carried into complete effect.

7. So long as any of the present Prælectors of Theology, Moral Philosophy, and Natural Philosophy within the College shall hold their or his Prælectorships or Prælectorship, and shall be receiving in respect thereof any annual sum from the College not exceeding Two hundred and fifty pounds each, such annual sum shall be considered as money appropriated to the endowment of the Professorships. Such annual sum shall not however be taken into account in apportioning the funds as herein-before directed between the aforesaid objects, but such apportionment shall be made as if no such annual sum were then being paid.

8. The Waynflete Professorships shall be established in the order and priority in which they are herein-before enumerated.

9. The Waynflete Professors shall always be elected as follows, namely:—

The Professor of Moral and Metaphysical Philosophy by the Chancellor of the University, the Visitor and the President of the College, the Regius Professor of Divinity, and the Regius Professor of Civil Law, for the time being, or the major part of them.

The Professors of Chemistry and Mineralogy by the Chancellor of the University, the Visitor and President of the College, the President of the Royal Society, and the President of the Royal College of Physicians, for the time being, or the major part of them.

The Professor of Physical Geography by the Chancellor of the University, the Visitor and President of the College, the President of the Royal Society, and the Astronomer Royal, for the time being, or the major part of them.

10. The present Prælector of Moral Philosophy shall, so soon as in the opinion of the President and Fellows a competent sum (though not amounting to the full stipend of Six hundred pounds a year) shall have been provided from the aforesaid sources, have the option of becoming, without any election, the first Professor of Moral and Metaphysical Philosophy, and on accepting the office shall vacate his Prælectorship.

11. Subject to the provisions of the preceding clause, the first election to each Chair shall take place, if the electors thereto, or the major part of them, shall think fit, as soon as an annual sum of Four hundred pounds shall have been appropriated towards the stipend of Six hundred pounds per annum attached to such Chair.

12. The University may by Statute define, and from time to time regulate, the functions and duties of the four Waynflete Professors respectively, and may make provision for the performance by Deputy of each Professor's duties in case of his unavoidable absence or incapacity, and may determine whether the Professors shall be permitted to receive any and what fees for attendance on their instruction, provided that no such fees shall be payable by any member of the College; and that the lectures of each Professor shall be delivered, if

and so far as it can conveniently be done, within the precincts of the College. If any Professor shall fail to reside within the University for six calendar months at least, between the Tenth day of October in every year and the First day of the next ensuing July, he shall forfeit one year's payment of the stipend appropriated to him, unless previous leave of absence, or a subsequent dispensation in respect of the default, shall have been granted to him on account of sickness, or any other very urgent cause, by or by authority of the University, and the payment so forfeited shall sink into the divisible revenues of the College. It shall be lawful for the Vice-Chancellor and the Delegates of Appeals in Congregation, or the greater part of them, to deprive of his Professorship any Professor who in their judgment shall have been proved to be guilty of culpable negligence or misconduct in his office, grave immorality, or non-observance of the Statutes relating to him, or who shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland; reasonable notice in writing of the charge having been first given to the Professor by the Vice-Chancellor to enable him to answer the same, if he shall desire to do so. The University may by Statute regulate the mode of proceeding on any such charge as aforesaid, and limit the time allowed for giving notice.

13. It shall be incumbent on the Waynflete Professors respectively to assist in College examinations on any occasion when they may be required to do so by the President.

14. The said three Prælectorships shall, as soon as they shall respectively become vacant, be abolished.

15. So soon as the whole annual sum required for satisfying the aforesaid objects shall have been appropriated and become payable thereto, the number of Fellowships shall be gradually restored to forty, by the election of four Fellows for every three vacancies, and no future President shall be entitled to receive in that character more than One thousand five hundred pounds per annum until the number of Fellowships shall have been restored to forty.

16. No person shall be incapable of being elected President of the College by reason of his not being or not having been a Fellow of the College, or of the College of Saint Mary of Winchester in Oxford, commonly called New College.

17. The election of the President of the College shall be vested in the Fellows of the College present at the time of election; the electors shall choose the person (being a Master of Arts, or a Doctor in Theology, Law, or Medicine, and otherwise duly qualified according to the Statutes of the College in force for the time being,) who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education; and that person in whose favour the greatest number of the electors present shall have voted shall be declared elected. If the votes shall be equal, the senior Fellow present shall give an additional casting vote.

18. The President shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided that in case of the President's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the President's residence for such a period as may seem to the Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the President.

19. The President and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Presidentship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the President's emoluments, whether commuted or uncommuted, as they shall think proper: Provided that no exercise of this power shall affect the person then being President without his consent: Provided also that the Visitor, upon the petition of the President or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

20. If at any time it shall appear that the President has become permanently incapable of performing the duties of his office, the Vice-President shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after

notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the President (as the case may be), it shall appear to the satisfaction of the Visitor that the President has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Vice-President, shall be presented to him, to be Pro-President of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one third) of the President's emoluments as the Visitor shall think fit; provided that the President shall be at liberty to retain his lodgings. And such Pro-President shall, so long as the President shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of President, except the power of consenting to any commutation, regulation, or diminution of the President's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes, and in the same manner. If any Pro-President shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-President in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the President's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments. The regulations of the existing Statutes respecting the measures to be taken in case of the President's incurable sickness shall be void.

21. In elections to Fellowships within the College, no person shall be either entitled to preference or ineligible by reason of his place of birth, or of his being or not being in Holy Orders,

or of his pecuniary circumstances, or of his being or not being a Demy of the College, or of his having or not having taken any degree; and no person shall be ineligible by reason of his want of aptitude or disposition for any faculty or profession mentioned in the existing Statutes, or of his having any canonical impediment disqualifying him for Holy Orders, or of his not being instructed in plain song, or by reason of any Statute limiting the number of Fellowships tenable at one time by natives of any county or diocese: Provided that no person shall be eligible who shall not have passed all the examinations required by the University of Oxford or the University of Cambridge for the degree of Bachelor of Arts, or who shall be in possession of any ecclesiastical benefice, or of any property, pension, or office, (being such property, pension, or office as is herein-after described as a ground of disqualification for the retention of a Fellowship,) the annual value of which, clear of all deductions (except for property or income tax), shall exceed Two hundred and thirty pounds a year: Provided also that this Ordinance shall be without prejudice to the rights of any of the present Demies of the College to succeed or be elected to those Fellowships to which, by virtue of any custom of the College, they would have been entitled to succeed or be elected if this Ordinance had not been made.

22. Thirty days at least before the day of election to a Fellowship, notice of every intended election, of the number of vacancies to be filled up, and of the conditions of election, shall be given by the President in such manner as he shall deem best adapted to secure publicity.

23. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the President and Fellows shall determine; and the President and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education: Provided that, in the election to the first, and thereafter to every fifth Fellowship, to which an election shall be held after the approval

of this Ordinance by Her Majesty in Council, and to which there shall be no Demy entitled to succeed or be elected by virtue of an interest acquired before the passing of the said Act, the examination shall be alternately in subjects recognized in the School of Mathematics and in that of Physical Science. The last foregoing provision shall be in force for twenty years from the date of the approval aforesaid. The system of examinations shall always be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognized in the Schools of the University.

24. In elections to Fellowships that candidate shall be deemed elected for whom the greatest number of votes shall have been given.

25. Every person hereafter to be elected to a Fellowship otherwise than by virtue of an interest acquired before the passing of the said Act, shall be entitled, as against other Fellows elected (otherwise than by virtue of such interest) after the First day of July one thousand eight hundred and fifty-seven, to receive during the period of probation the same emoluments as if he had been admitted an actual Fellow.

26. The admission of Probationers to actual Fellowships shall be vested in the major part of the electors to Fellowships present at the time of admission.

27. The rank, privileges, and advantages, which every person elected to a Fellowship after the said First day of July one thousand eight hundred and fifty-seven, otherwise than by virtue of an interest acquired before the passing of the said Act, shall hold and enjoy in the College, shall be determined according to the date of his admission to such Fellowship.

28. No Fellow elected after the said First day of July one thousand eight hundred and fifty-seven, otherwise than by virtue of an interest acquired before the passing of the said Act, shall be entitled, by reason of seniority or otherwise, to receive larger emoluments in respect of his Fellowship than any other Fellow so elected.

29. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any government pension, or

be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office, for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls,) clear of deductions (except for property or income tax,) shall exceed Three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources, (including or not including a benefice with cure of souls,) clear of deductions as aforesaid, shall exceed Five hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months; and for this purpose the income which the estimated value of any property would produce, if invested in the Three pounds per centum Consolidated Annuities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall in this clause include any estate or interest in possession in any property real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property, or any of such sources of income shall have been acquired, shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

30. It shall be lawful for the President and Fellows, at stated general meetings, by a majority of not less than three fourths of the votes of those present, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the President and Fellows shall, by resolution, from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the

mode of election thereto, may also be determined by the President and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College. The number of Honorary Fellowships within the College shall not at any one time exceed ten.

31. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University shall thereupon vacate his Fellowship.

32. The provisions respecting the residence of Fellows and Demies, and the mode of granting leave of absence from the University, contained in the existing Statutes, shall be henceforth void. The President and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Demies within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow or Demy, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the President and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the members of the College.

33. One third of the whole number of Fellowships (exclusive of Fellowships directed to be not filled up,) may at all times be held by persons not having taken, and not liable to be required to take, Holy Orders. Such Fellowships shall be termed Lay Fellowships. The option of holding a Lay Fellowship shall be given to the Fellows not in Holy Orders successively, according to seniority from the date of election. Any power conferred directly or by implication by the existing Statutes, of granting an exemption from the obligation to take Holy Orders, shall not hereafter be exercised. Every Fellow not being in Holy Orders, and not having had the option of a

Lay Fellowship before the age of twenty-six years complete, shall, on attaining that age, vacate his Fellowship. No Fellow not being in Holy Orders shall be required, as a condition of retaining his Fellowship, to study or graduate in theology.

34. The number of Fellowships within the College shall never be less than forty, (inclusive of Fellowships directed to be not filled up,) unless the Visitor, shall think fit, on a petition in writing presented and subscribed by the President and not less than three fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the President and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Demies or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

35. The President and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than Three hundred pounds a year, (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances,) to direct either that the number of Fellowships shall be increased above forty, or that any part of such revenues shall be applied in increasing the number or emoluments of the Demyships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the President and Fellows, with the approbation of the Visitor, shall determine.

36. No candidate for a Demyship within the College shall be either ineligible or entitled to preference by reason of his place of birth, or be ineligible on account of his being entitled to any property or income exceeding five marks a year, or not being instructed in plain song. No person shall be eligible who shall have attained the age of twenty years. The electors may refuse to admit as a candidate any person whom they may deem to be not in need of a Demyship; but among the persons admitted as candidates no person shall be entitled to preference by reason of his pecuniary circumstances.

37. The Demies shall be elected after an examination of the candidates in such subjects, and conducted in such manner, as the President and Fellows shall determine, and that candidate (being otherwise duly qualified according to the Statutes in force for the time being) shall be elected, who, after such examination, shall appear to the electors to be of the greatest merit, and most fit to be a Demy of the College.

38. In the election of Demies, the President, or in his absence the Vice-President, shall have a casting vote in addition to his own vote. Subject to this provision, that candidate shall be deemed elected for whom the majority of the electors present shall have voted.

39. The election of Demies shall take place on a stated day or stated days in each year, to be appointed by the President and Fellows (subject to the provisions for postponement herein-after contained); and notice of such intended election shall be given by the President, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

40. The Demyships shall be tenable for five years from the day of election inclusive, and no longer; and no Demy shall vacate his Demyship by reason of his having acquired property of the annual value of five marks, or of his having attained any age mentioned in the Statutes.

41. Five of the Exhibitioners shall be appointed by the President; the election of the remaining fifteen shall be vested in the persons entitled to elect to Demyships.

42. The Exhibitions shall be filled up by the appointment or election of deserving persons whom the President or the electors, as the case may be, shall have ascertained to be in

need of support at the University: provided that no person shall be elected or appointed whose merit and fitness to be an Exhibitioner shall not have been previously tested by an examination conducted by the electors or appointor, as the case may be.

43. In the election to one Demyship at least in each year the subject of examination shall be Mathematics, and in the election to one at least, Physical Science; and in the appointment or election to one Exhibition at least in each year, the subjects of examination shall be Mathematics and Physical Science alternately: Provided that no person shall be admitted to such examination who shall not have proved to the satisfaction of the persons or person electing or appointing (as the case may be) that he is sufficiently instructed in other subjects to matriculate as a member of the College. The provisions of this clause shall be in force for twenty years from the date of the approval aforesaid.

44. The appointment and election of Exhibitioners shall take place on the day or days in each year appointed for the election of Demies (subject to the provisions for postponement herein-after contained); and notice of such intended appointment and election shall be given by the President, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election and appointment.

45. The Exhibitions shall be tenable for five years from the day of election inclusive, and no longer.

46. The Exhibitioners shall be subject to such regulations respecting attendance on Divine Worship, residence, instruction, and discipline, as the President and Fellows shall from time to time determine; and any Exhibitioner may be deprived of his Exhibition for the same causes for which, and by the same authority by which, Demies of the College may, according to the Statutes in force for the time being, be deprived of their Demyships.

47. The election and removal of Clerks within the College shall be vested in the President and such officers in conjunction with him as the President and Fellows shall from time to time determine.

48. The President and Fellows shall not, by reason of any

clause or provision in the existing Statutes of the College, be prohibited or restrained from admitting as many persons as can be conveniently accommodated to be educated within the College.

49. The President and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

50. The power of depriving the President for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him after due inquiry upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the President and Fellows, and shall be exercised by the vote of the major part of the President and all the Fellows, subject only to such appeal to the Visitor as is herein-after provided; and the power of depriving Demies for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the persons in whom the election of Demies is or shall be vested, and shall be exercised by the vote of the major part of such persons, the President, or in his absence the Vice-President, having, if the votes are equally divided, an additional casting vote, subject only to such appeal to the Visitor as is herein-after provided: Provided that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

51. Whenever there shall be no duly qualified candidate for a vacant Fellowship, Demyship, or Exhibition, whom the electors shall judge of sufficient merit for election, and whenever a Fellowship, Demyship, or Exhibition shall fall vacant, and there shall not be time to give the notice herein-before directed before the day of election or appointment, the election or appointment shall be postponed to some other day, to be fixed by the President and Fellows for the purpose, not later than the next ensuing day which shall be appointed for the

election in the case of a Fellowship of Fellows, and in the case of a Demyship or Exhibition of Demies; and every such postponed election and appointment shall be held and conducted in the same manner and after the same previous notice as if there had been no postponement, except that Mathematics may be substituted for Physical Science, and *vice versâ*.

52. The President and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the President and Fellows shall think proper: Provided that it shall be lawful for the Visitor, upon the petition of the President, or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided also that the Presidentship shall not be deemed to be an office within the meaning of this clause.

53. The President and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service according to the Liturgy of the United Church of England and Ireland, within the College, during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the President and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service shall be henceforth void. Nothing contained in this clause shall be held to affect the provisions of the existing Statutes respecting the number of the Chaplains and the constitution of the Choir.

54. In case the President or any Fellow of the College

shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland as by law established, such contumacious ceasing to conform shall be a cause for depriving the President of his Presidentship, and any such Fellow of his Fellowship.

55. The oaths prescribed by the existing Statutes shall not hereafter be taken. But every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall at the time of his election or admission take an oath or make a declaration, as the President and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office, and obey the Statutes and Bye-laws of the College in force for the time being, so far as they may concern him; and the electors to any place or office, before electing to which an oath is now required, (not being an annual office,) shall, before electing, take an oath or make a declaration, as the President and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

56. There shall be two stated general meetings at least of the President and Fellows in every year, on such days as the President and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the President shall be counted as two votes at all College meetings, and in the election, admission, and deprivation of Fellows. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the President and Fellows, or the consent of the President, is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present. Whenever the votes shall be equal, the President shall have an additional casting vote. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided that the President and Fellows may make from time to time such rules for regulating the proceedings

at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

57. The power which is given by the existing Statutes to the Vice-President to act in place of the President, and the power of any officer of the College who may hereafter be authorized by any Statute or Bye-law to act in place of the President, shall be deemed to extend to all the acts which the President is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the President's emoluments.

58. No member of the College who may be charged with an offence shall, by reason of any provision in the existing Statutes, be prohibited or restrained from calling for a copy of the charges made against him, or for the name or names of the person or persons making such charges.

59. The particular provisions of the existing Statutes respecting the subjects and hours of study and instruction within the College, the disputations and other exercises to be performed by its members, and their attendance in the Schools and at the exercises of the University; and respecting the devotions, dress, conversation, recreations, and other personal habits of the members of the College, and the hours and conditions of their going beyond the precincts of the College; and respecting the meals of the members of the College, and the mode of serving and conducting the same; and respecting the inquiries to be made into the life and conduct of the members of the College, and the mode of making the same; and respecting the punishments for offences, not being such as require deprivation; and respecting the treatment and support of Fellows and Demies in case of sickness or infirmity; and respecting the distribution of the rooms, and the use of the common hall and other common rooms or buildings of the College; and respecting the use of the library; and respecting the times of opening and closing the gates and doors of the College; and respecting the admission of strangers into the precincts of the College; and respecting the reading of the Statutes; and respecting the service of the College, and

the number, duties, and payment of the servants of the same; and respecting progresses, and other matters relative to the supervision of the property of the College; and respecting the custody and inspection of the monies, plate, linen, and other goods of the College, other than the muniments and seals, shall be henceforth void. The President and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions or any of them are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby, as is herein-after provided.

60. If in any case it shall appear to the Visitor that by reason of any change in the value of money, any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

61. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit, at other times, to require the President and Fellows to answer in writing touching any matter as to which the Visitor may deem it

expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

62. As often as any question shall arise on which the President and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the President and Fellows, or for the President or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

63. It shall be lawful for the President, or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the President and Fellows, and for any Demy or Exhibitioner who may have been deprived of his Demyship or Exhibition, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence, as he shall deem just.

64. It shall be lawful for the President or any Fellow elected before the First day of July one thousand eight hundred and fifty-seven, or by virtue of an interest existing before the passing of the said Act, who shall deem his interest in the divisible revenues of the College unduly affected by any expenditure of the College, at any time before the number of Fellowships shall be restored to forty, to complain to the Visitor; and it shall be lawful for the Visitor thereupon to make such order for apportioning the diminution of income occasioned by such expenditure among the Fellows as he may deem just.

65. It shall be lawful for the Visitor, either *proprio motu*, or on the complaint of the President, or of any of the Fellows, to disallow and annul any bye-law or resolution of the President and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

66. The President and Fellows, by a majority consisting of not less than two thirds of the votes of those present, the vote of the President being counted as two votes, may from time to time, at any stated general meeting, subject to the

provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor; and any provision in the existing Statutes whereby they might be prohibited or restrained from exercising this power shall be henceforth void.

67. Whenever the words "the Fellows," or "the President and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows, and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

68. This Ordinance shall be without prejudice to any existing interest, (being such an interest as is intended to be saved by the said Act,) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal this 4th day of August 1857.

L. S.

ORDINANCES

CONCERNING

BRASENOSE COLLEGE.

PAGE

1. Ordinance respecting the Fellowships 287
2. Ordinance for the conversion of four Fellowships into Scholarships 288
3. General Ordinance 290
4. Ordinance in relation to the Somerset Scholarships and the Hulme Exhibitions 307

ORDINANCES

CONCERNING

BRASENOSE COLLEGE.

Ordinance with respect to the Fellowships, framed by the Commissioners.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to "make further Provision for the good Government and Ex- "tension of the University of Oxford, of the Colleges therein, "and of the College of St. Mary Winchester," do, in execution of the powers of the said Act, hereby ordain, that no preference shall be given to any person in elections to any Fellowship, whether of the original or any subsequent foundation, within the King's Hall and College of Brasenose, in Oxford, commonly called Brasenose College, in respect of such person's place of birth, or of his being of the name, lineage, kindred, or consanguinity of any person named in any charter, will, deed of composition, or other instrument of foundation or endowment of the said College. And we do hereby further ordain, that no person shall be deemed ineligible to any Fellowship within the said College by reason of the place of his birth, or by reason of his not being of any name, lineage, kindred, or

consanguinity named in any instrument of foundation or endowment of the said College.

Given under our Common Seal, this 14th day of December 1855.

L. S.

Ordinance for the conversion of four Fellowships into Scholarships, framed by the Commissioners.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to "make further Provision for the good Government and Ex- "tension of the University of Oxford, of the Colleges therein, "and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, make this Ordinance for the conversion of four Fellowships within the King's Hall and College of Brasenose, in Oxford, commonly called Brasenose College, into Scholarships within the same College.

The first, second, fourth, and sixth, of the Fellowships within the said College which shall become vacant after this Ordinance shall have been approved by Her Majesty in Council, shall not be filled up; and all the emoluments of and appertaining to the same four Fellowships which would have been payable to the persons elected into the same and their successors, had the same been filled up, shall be applied as such emoluments shall become available by the occurrence of successive vacancies in maintaining within the said College as many Scholars, receiving a yearly stipend, not less than Sixty pounds each, as the amount for the time being available shall allow: Provided always that the number of Scholars

to be maintained out of the emoluments of the said four Fellowships shall at no time be greater than twelve: Provided also that, if any Fellowship or Fellowships within the said College shall be vacant at the time when this Ordinance shall be approved as aforesaid, such one Fellowship (if but one), or one of such Fellowships (if more than one), shall, for the purposes of this Ordinance, be considered as having become vacant immediately after such approval, and as one of the four Fellowships hereby directed to be converted.

And with respect to the Scholars to be maintained as aforesaid out of the emoluments of the said four Fellowships, we ordain as follows:

Every Scholar shall be elected by the Principal, Vice-Principal, Dean, Lecturers, and Tutors of the said College; or, in case of the absence of any of them, by such of them as shall be present (being not fewer than three in number), after a competitive examination of the candidates in such subjects, and conducted in such manner, as the Principal and Fellows shall from time to time determine.

The election of the Scholars shall take place on such day in each year as the Principal and Fellows shall appoint, subject to the provision respecting postponement herein-after contained; and notice of such intended election shall be given by the Principal, or, in his absence, by the Vice-Principal, in such manner as the person so giving notice shall deem best adapted to ensure publicity, twenty days at least before the day of election.

No person who shall have attained the age of twenty years, or shall be an Exhibitioner on the foundation of Mr. William Hulme, shall be capable of being elected a Scholar; and no person shall be admitted to be a candidate who shall not produce testimonials of his moral character, satisfactory to the Principal, or, in his absence, to the Vice-Principal.

Whenever there shall be no candidate whom the electors shall judge duly qualified for election, it shall be lawful for them to postpone the election to some other day, to be fixed by them for the purpose, not later than the day which shall be appointed by the Principal and Fellows for the election of Scholars in the next year; and every such postponed election shall be held and conducted in the same manner in

which the elections of Scholars are herein-before directed to be held and conducted.

The Scholarships shall be tenable for five years, and no longer; but in the case of any Scholarship, the election to which shall have been postponed as aforesaid, the said term of five years shall be computed from the day on which the election would have taken place if there had been no postponement. And every Scholar who shall marry, or shall be elected to a Fellowship, or to an Exhibition on the foundation of Mr. William Hulme, in the said College, or to a Fellowship or Scholarship in any other College, shall *ipso facto* vacate his Scholarship.

Every Scholar shall be subject to such regulations as to residence, instruction, discipline, and attendance on Divine Worship, as the Principal and Fellows shall from time to time determine; and may be deprived of his Scholarship by the Principal and Fellows for any misconduct which shall in their judgment deserve deprivation, but with liberty to appeal against such deprivation to the Visitor of the said College.

Given under our Common Seal this 22nd day of May 1856.

L. S.

General Ordinance, framed by the Commissioners.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in realtion to the King's Hall and College of Brasenose in Oxford, commonly called "Brasenose College:"—

1. No person shall be incapable of being elected Principal

of the said College by reason of his not being or not having been a Fellow of the College. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being), who, in their judgment, shall be most fit for the government of the College as a place of religion, learning, and education. All actual Fellows being Graduates shall be entitled to vote in elections to the office of Principal.

2. The Principal shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided that in case of the Principal's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the Principal's residence for such a period as may seem to the Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the Principal.

3. From and after the time when this Ordinance shall have been approved by Her Majesty in Council the Principal shall be entitled to receive out of the revenues of the College, in addition to the allowances which are now payable to him by Statute or custom, an annual sum of Six hundred pounds, to commence immediately (subject to abatement in the case specified in clause 21 of this Ordinance); and except as aforesaid, or by virtue of any commutation effected under clause 4, he shall cease to be entitled to any share or interest in the corporate revenues of the College, or any part thereof.

4. The Principal and Fellows may at any time hereafter, if they shall think fit, commute the stipend and allowances, or other the emoluments for the time being, of the Principalship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Principal's emoluments, whether commuted or uncommuted, as they shall think proper: Provided that no exercise of this power shall affect the person then being Principal without his consent: Provided also that the Visitor,

upon the petition of the Principal, or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

5. If at any time it shall appear that the Principal has become permanently incapable of performing the duties of his office, the Vice-Principal shall, upon the request of any three or more Fellows, convene a meeting of the Graduate Fellows of the College, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Principal, (as the case may be,) it shall appear to the satisfaction of the Visitor that the Principal has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Vice-Principal, shall be presented to him, to be Pro-Principal of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one third) of the Principal's emoluments as the Visitor shall think fit; provided that the Principal shall be at liberty to retain his lodgings. And such Pro-Principal shall, so long as the Principal shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Principal, except the power of consenting to any commutation, regulation, or diminution of the Principal's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes, and in the same manner. If any Pro-Principal shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-Principal in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Principal's incapacity has ceased, and that he is capable of performing the duties of his

office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

6. Every actual Fellow of the College, being a Graduate, shall be entitled to vote in elections and admissions to Fellowships.

7. In elections to Fellowships within the College, no person shall be either entitled to preference or ineligible by reason of his having or not having taken any degree, or by reason of his pecuniary circumstances, and no person shall be ineligible by reason of his not being in Holy Orders: Provided that no person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office, which, if acquired after election, would have disqualified him for continuing a Fellow.

8. The election of Fellows shall take place on a stated day in each year, to be appointed by the Principal and Fellows, (subject to the provision for postponement herein-after contained), and notice of every intended election, and of the number of vacancies to be filled up, shall be given by the Principal, in such manner as he shall deem best adapted to secure publicity, thirty days at least before the day of election.

9. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Principal and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the Principal and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being), who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

10. Every person elected to a Fellowship shall be entitled to receive, during the period of probation, the same emoluments as if he had been admitted an actual Fellow.

11. The rank which Fellows elected after the passing of

the said Act shall hold in the College shall (except so far as is otherwise herein-after provided) be determined according to the date of their election.

12. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office, for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls), clear of deductions (except for property or income tax), shall exceed Three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources, (including or not including a benefice with cure of souls,) clear of deductions as aforesaid, shall exceed Five hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months (or, in case such benefice shall be a benefice in the gift of the College, at the expiration of eighteen calendar months from the day of the avoidance thereof); and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall in this clause include any estate or interest in possession in any property real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property, or any of such sources of income, shall have been acquired, shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

13. In certain excepted cases persons may hold Fellowships within the College although married, and although possessed of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes, and without having passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

(*a.*) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the Principal and all the Fellows qualified to vote in the election of Fellows shall have been given; the Principal's vote being counted as two votes.

(*b.*) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma or by decree of Convocation, or any honorary degree: Provided that two thirds of the votes of the Principal and all the Fellows qualified to vote in the election of Fellows shall have been given for the election of such Principal or other person as last aforesaid; the Principal's vote being counted as two votes.

Provided that any person elected under this clause and being a Professor or Public Lecturer within the University, who at the time of his election shall hold a benefice with cure of souls, and who shall continue to hold such benefice for six calendar months afterwards, shall thereby vacate his Fellowship; and that no person elected under this clause shall by virtue thereof be enabled to hold, with his Fellowship, any benefice in the gift of the College, the possession of which would in ordinary cases be incompatible with the retention of a Fellowship.

14. The election in such excepted cases shall always be held more than thirty days before the usual stated day of election, and the electors may at the time of election determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges; provided

also that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

15. Not more than one Fellowship shall at any one time be held under clause 13 of this Ordinance.

16. Every Professor, Public Lecturer, or Principal of a Hall, elected to a Fellowship by virtue of clause 13, who shall cease to hold such Professorship, Public Lecturership, or Principalship, and every Professor or Public Lecturer, elected as aforesaid, who shall be instituted to any benefice with cure of souls, shall thereby vacate his Fellowship.

17. It shall be lawful for the Principal and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Principal and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Principal and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

18. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University shall thereupon vacate his Fellowship.

19. The provisions respecting the residence of Fellows, and the mode of granting leave of absence from the University, contained in the existing Statutes, shall be henceforth void. The Principal and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and, in case of contumacious non-com-

pliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Principal and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the members of the College.

20. No Fellow elected after the passing of the said Act shall be bound, as a condition of retaining his Fellowship, to enter into Holy Orders until ten years after the time at which he might, according to the Statutes of the University, have been admitted to the degree of Master of Arts.

21. It shall be lawful for every Fellow of the College elected before the passing of the said Act, at any time within six calendar months from the day on which this Ordinance shall have been approved by Her Majesty in Council, to declare in writing that he accepts the commutation hereby offered. Every Fellow who shall so declare shall continue thereafter entitled to receive the stated allowances which by Statute or custom are now paid or allowed to the Fellows of the College (not including any share of fines), and he shall also be entitled to receive out of the clear corporate revenues of the College an annual sum of Three hundred pounds, to commence and become payable, in the case of any person who at the time of signing the declaration shall be one of the six senior Fellows of the College, from the day of his signing the same; and in the case of any other person, from the day of his becoming one of the six senior Fellows; but (except as aforesaid) he shall, from and after the signing of such declaration, be entitled in respect to his Fellowship, to no share or interest whatever in such corporate revenues, or any part thereof. The words "Senior Fellows" shall in the remainder of this clause mean senior Fellows for the time being having signed the aforesaid declaration. Every Fellow elected after the passing of the said Act shall be entitled to receive out of the clear corporate revenues emoluments amounting (inclusive of stated allowances) to One hundred and thirty-five pounds per annum, until after the vacancy of the first Fellowship which shall become vacant subsequently to the approval of this Ordinance, not being one of the four Fellowships converted into Scholarships by an Ordinance bearing date the

Twenty-second day of May one thousand eight hundred and fifty-six, and after that vacancy to One hundred and fifty pounds per annum. The foregoing directions shall be without prejudice to the right of Fellows elected before the passing of the Act who shall not have signed the declaration to receive the aforesaid stated allowances, and without prejudice also to the right of the Principal and Fellows to apply any part of the corporate revenues to any corporate purposes. If in any year the corporate revenues shall be insufficient for payment in full to the Fellows elected before the passing of the Act of their stated allowances, and to the Principal, the Senior Fellows, and the Fellows elected after the passing of the Act, of the emoluments (including allowances) herein-before allotted to them respectively, then the whole emoluments of the Principal, the Senior Fellows, and the Fellows elected after the passing of the Act shall abate rateably. If in any year the corporate revenues shall be more than sufficient for payment of the said allowances and emoluments, the Principal and Fellows shall apply the excess, in the first place, in making good any deficiency which may have arisen in any preceding year or years, and subject thereto shall set apart and reserve such excess, or so much thereof as shall appear reasonable, to meet any deficiency which may arise in any succeeding year or years. Subject to this direction, and to the other provisions of this Ordinance, the excess shall be at the disposition of the Principal and Fellows; provided that Fellows elected before the passing of the Act shall not be entitled to any share therein. The corporate revenues of the College shall include fines, rents, and all other profits which may arise or be receivable from or in respect of the property of the College.

22. From and after the approval of this Ordinance by Her Majesty in Council there shall be no election to a Fellowship within the College, unless at the time of such election it shall appear that the revenues of the College are sufficient for payment in full to the Principal and Fellows, including the Fellow about to be elected, of the allowances and emoluments payable to them respectively under clause 21 of this Ordinance, and for providing a competent reserve fund, pursuant to the same clause: Provided, however, that the Prin-

cipal and Fellows may at any time fill up one or more vacant Fellowship or Fellowships, if in their judgment it shall be urgently required for the educational efficiency of the College, although it may not then appear that the revenues of the College are sufficient as aforesaid.

23. The Principal and Fellows may, if they shall think fit, commute the stated allowances now payable to Fellows, or any part thereof, for annual stipends or aliquot shares of the clear corporate revenues of the College. It shall be lawful for the Visitor, upon the petition of any Fellow who shall conceive himself aggrieved thereby, to disallow such commutation, if the Visitor shall think fit.

24. No Fellow elected after the passing of the said Act shall be entitled to receive larger emoluments in respect of his Fellowship than any other Fellow so elected, saving rights of preference in regard to the distribution of rooms within the College.

25. The fourth Fellowship which shall become vacant, and which would, according to the foregoing provisions, be filled up, shall not be filled up; but all the emoluments thereof shall be applied to such purposes connected with the Professoriate of the University as the Commissioners exercising the powers of the said Act shall by Ordinance direct, and in default thereof, and subject thereto, as the University shall by Statute, with the consent of the Principal and Fellows, determine. The emoluments of the said Fellowship shall be the sum which would in each year have been payable to the holder of the same, if the same had been filled up, and if the person elected had resided in the University during the period required of him by the Statutes and Regulations of the College in force for the time being: Provided that it shall be lawful for the Principal and Fellows, at any time within ten years after the time at which the said Fellowship would, but for this clause, have been filled up, to commute the emoluments of the same for a fixed annual sum of Two hundred pounds, payable out of the clear corporate revenues of the College.

26. The number of Fellowships within the College shall never be less than fifteen, exclusive of the Fellowship hereinbefore directed to be not filled up, and of the four Fellowships converted into Scholarships by an Ordinance bearing date the

Twenty-second day of May one thousand eight hundred and fifty-six, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the Principal and not less than three fourths of the Graduate Fellows, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Principal and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

27. The Scholarships of the several foundations of Joyce Frankland, John Claymond, Humphrey Ogle, James Binks (otherwise called James Stoddard), Hugh Henley, Thomas Church, and Thomas Yate, shall, when vacant, not be filled up; and the emoluments thereof respectively shall be consolidated with and treated as part of the corporate revenues of the College: Provided that if at any time the Scholarships, which, by the said Ordinance of the twenty-second day of May one thousand eight hundred and fifty-six, are directed to be established within the College, shall cease to be maintained therein, the consolidation directed by this clause shall thereupon cease and determine, and the said emoluments shall be thenceforth applied to the purposes, and in the manner, to and in which they are now applicable, unless it shall be otherwise provided by Statute.

28. The Principal and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an

average income of more than Three hundred pounds a year, (exclusive of rooms or any allowances in respect thereof, but inclusive of all other allowances,) to direct, either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Principal and Fellows, with the approbation of the Visitor, shall determine.

29. The power of depriving the Principal for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him after due inquiry upon the petition of the major part of all the Graduate Fellows; and the power of depriving Fellows for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Principal and Fellows, and shall be exercised by the vote of the major part of the Principal and all the Graduate Fellows, subject only to such appeal to the Visitor as is herein-after provided: Provided that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

30. Whenever there shall be no duly qualified candidate for a vacant Fellowship whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant, and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to some other day, to be fixed by the Principal and Fellows for the purpose, not later than the next ensuing stated day of election in the case of a Fellowship of Fellows, and in the case of a Scholarship of Scholars; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

31. The Principal and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment and election, and may institute such new offices as they shall deem

expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Principal and Fellows shall think proper: Provided that it shall be lawful for the Visitor, upon the petition of the Principal or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided also that the Principalship shall not be deemed an office within the meaning of this clause.

32. The Principal and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Principal and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

33. In case the Principal or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland, as by law established, such contumacious ceasing to conform shall be a cause for depriving the Principal of his Principalship, and any such Fellow of his Fellowship.

34. The oaths prescribed by the existing Statutes shall not hereafter be taken; but every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall, at the time of his election or admission, take an oath or make a declaration, as the Principal and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office, and obey the Statutes and Bye-laws of the College in force

for the time being, so far as they may concern him; and the electors to any place or office, before electing to which an oath is now required, (not being an annual office,) shall, before electing, take an oath or make a declaration, as the Principal and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

35. There shall be two stated general meetings at least of the Principal and Fellows in every year, on such days as the Principal and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Principal shall be counted as two votes at all College meetings. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the Principal and Fellows, or the consent of the Principal, is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present: Provided that the seal of the College shall not be affixed to any act or document, except by authority of a meeting at which the Principal or his Vice-Gerent and a majority of all the Fellows shall have been present. Whenever the votes shall be equal, the Principal shall have an additional casting vote. Every actual Fellow of the College being a Graduate shall be entitled to be present and vote at every College meeting. Any Statute, rule, or usage of the College, which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided that the Principal and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

36. The power which is given by the existing Statutes to the Vice-Principal to act in place of the Principal, and the power of any officer of the College who may hereafter be

authorized by any Statute or Bye-law to act in place of the Principal, shall be deemed to extend to all the acts which the Principal is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Principal's emoluments.

37. The provisions of the chapters in the existing Statutes, intituled "De admissione Scholarium non Sociorum in Collegium nostrum," and "De concordia Sociorum et non Sociorum in electionibus officiariorum Universitatis," shall be void.

38. The particular provisions of the existing Statutes respecting the subjects of study and instruction within the College, the disputations and other exercises to be performed by its members, and their attendance in the Schools and at the exercises of the University; and respecting the devotions, dress, conversation, recreations, and other personal habits of the members of the College, and the conditions of their going beyond the precincts thereof; and respecting the meals of the members of the College, and the mode of conducting the same; and respecting the punishments for offences, not being such as require deprivation; and respecting the treatment of Fellows in case of sickness; and respecting the distribution of the rooms, and the use of the common hall and other common rooms or buildings of the College; and respecting the times of opening and closing the gates and doors of the College; and respecting the admission of strangers into the precincts of the College; and respecting the reading of the Statutes; and respecting the service of the College, and the number, duties, and payment of the servants of the same; and respecting progresses and other matters relative to the supervision of the property of the College; and respecting the custody and inspection of the moneys, plate, and other goods of the College, other than the muniments and seals, shall be henceforth void. The Principal and Fellows shall from time to time make such regulations as they may deem necessary or expedient for effecting the main objects which the aforesaid particular provisions or any of them are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who

may deem himself aggrieved thereby, as is herein-after provided.

39. If in any case it shall appear to the Visitor that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor, from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

40. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit, at other times, to require the Principal and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

41. As often as any question shall arise on which the Principal and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the Principal and Fellows, or for the Principal or any three of the Graduate Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

42. It shall be lawful for the Principal, or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Principal and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence, as he shall deem just.

43. It shall be lawful for the Visitor, either *proprio motu* or on the complaint of the Principal or of any of the Fellows, to disallow and annul any bye-law or resolution of the Principal and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

44. The Principal and Fellows, by a majority consisting of not less than two thirds of the votes of those present, the vote of the Principal being counted as two votes, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor.

45. Whenever the words "the Principal and Fellows" are used in this Ordinance, the word "Fellows" shall mean actual Fellows being Graduates; and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

46. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal this 28th day of March 1857.

L. S.

Ordinance in relation to the College, and to the Scholarships and Exhibitions of the foundations of Sarah Duchess of Somerset and Mr. William Hulme, framed by the Commissioners.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act "to make further Provision for the good Government and "Extension of the University of Oxford, of the Colleges "therein, and of the College of St. Mary Winchester," ordain as follows, in relation to the King's Hall and College of Brasenose in Oxford, commonly called Brasenose College, and in relation to the Scholarships and Exhibitions of the foundations of Sarah Duchess of Somerset and William Hulme, Esquire, within the same.

In elections to any place or office within the College, each elector shall have one vote; and that candidate shall be deemed to be elected for whom the greatest number of the electors present shall have voted. In case of an equality of votes, the Principal, or in his absence the Vice-Principal, shall give a casting vote. In the absence of the Principal, the Vice-Principal shall, in case of an equality of votes at any College meeting, give besides his own vote an additional casting vote.

In elections to Scholarships of the foundation of Sarah Duchess of Somerset, no person shall be entitled to preference on account of his place of birth.

No person shall be entitled to preference in respect of his place of education, unless he shall have been educated at such place of education for two years at the least last preceding the election, or last preceding his matriculation in the University.

Every Scholar shall be elected by the Principal, Vice-Principal, Dean, Lecturers, and Tutors of the said College, or, in case of the absence of any of them, by such of them

as shall be present (being not fewer than three in number), after an examination of the candidate, if there be only one, or a competitive examination of the candidates, in such subjects and conducted in such manner as the Principal and Fellows shall from time to time determine.

Whenever there shall be no candidate for any of the Scholarships known as Somerset Iver Scholarships, duly qualified in regard to his place of education according to the instrument of foundation and the provisions of this Ordinance, whom the electors shall judge of sufficient merit for election, the Scholarship shall be thrown open for that turn to general competition, and the election thereto shall be held in the same manner and after the same previous notice as elections to Scholarships within the College established under an Ordinance dated the Twenty-second day of May one thousand eight hundred and fifty-six.

Whenever any one of the schools of Manchester, Marlborough, and Hereford shall fail to supply, for a vacancy falling to its turn in any of the Scholarships known as the Somerset Thornhill Scholarships, a candidate duly qualified in regard to his place of education according to the instrument of foundation and the provisions of this Ordinance, whom the electors shall judge of sufficient merit for election, the other two schools shall be entitled to send candidates for the vacancy, unless one full third of the whole number of Somerset Thornhill Scholarships shall then be held by Scholars educated at either of such two schools not elected at an open election, in which case that school shall not be entitled to send candidates. The Principal shall give to the Head Masters or Head Master of the schools or school (as the case may be), entitled as aforesaid, sufficient notice for enabling candidates to be so sent. If there shall be no candidate so sent whom the electors shall judge of sufficient merit for election, the Scholarship shall be thrown open for that turn to general competition, and the election thereto shall be held in the same manner as is hereinbefore appointed in relation to a Somerset Iver Scholarship when thrown open to general competition.

Whenever any one of the schools of Manchester, Marlborough, and Hereford shall fail to supply, for a vacancy falling to its turn in any of the Scholarships known as Thorn-

hill Manor Scholarships, a candidate duly qualified in regard to his place of education according to the instrument of foundation and the provisions of this Ordinance, whom the electors shall judge of sufficient merit for election, the other two schools shall be entitled to send candidates for the vacancy, unless one full third of the whole number of Thornhill Manor Scholarships shall then be held by Scholars educated at either of such two schools not elected at an open election, in which case that school shall not be entitled to send candidates. The Principal shall give to the Head Masters or Head Master of the schools or school (as the case may be), entitled as aforesaid, sufficient notice for enabling candidates to be so sent. If there shall be no candidate so sent whom the electors shall judge of sufficient merit for election, the Scholarship shall be thrown open for that turn to general competition, and the election thereto shall be held in the same manner as is herein-before appointed in relation to a Somerset Iver Scholarship when thrown open to general competition.

The Scholarships shall be tenable for five years and no longer; but in the case of any Scholarship, the election to which shall have been thrown open to any school other than that to whose turn the vacancy fell, or to general competition, the said term of five years shall be computed from the day on which the election would have taken place if the Scholarship had been filled up from the school to whose turn the vacancy fell; and every Scholar who shall be elected to an Exhibition on the foundation of Mr. William Hulme shall thereby vacate his Scholarship.

Every Scholar shall be subject to such regulations as to residence, instruction, discipline, and attendance on Divine Worship, as the Principal and Fellows shall from time to time determine; and may be deprived of his Scholarship by the Principal and Fellows for any misconduct which shall in their judgment merit deprivation, but with liberty to appeal against such deprivation to the Visitor of the College.

It shall be lawful for the Principal and Fellows, with the consent of the said Visitor, and of the governing bodies of the schools of Marlborough, Manchester, and Hereford, to regulate from time to time the number and value of the Scholarships of the said foundation belonging to the said schools.

In elections to Exhibitions of the foundation of Mr. William Hulme, the electors shall have regard not only to the pecuniary circumstances of the candidates, but also to their moral and intellectual qualifications: the intellectual qualifications of the candidates shall be tested, as far as possible, by reference to the Classes, Prizes, and Scholarships of the University.

Given under our Common Seal this Ninth day of January one thousand eight hundred and fifty-eight.

L. S.

STATUTES

OF

CORPUS CHRISTI COLLEGE,

MADE BY

THE PRESIDENT AND FELLOWS.

PAGE

Præfatio 313

CAP. I. De qualitate Præsidentis et ejus officio 314

II. De electione Præsidentis 315

III. De juramento Præsidentis 318

IV. De Vicepræsidentis qualitate et officio 320

V. De Vicepræsidentis electione 321

VI. De Decani qualitate et officio 322

VII. De qualitate Dispensatorum et officio 323

VIII. De officiis quibusdam Sociorum 323

IX. De qualitate et circumstantiis eligendorum in Scholares anno probandos 324

X. Modus eligendi Scholares ad annum probationis 325

XI. De admissione Scholaris anno probandi 325

XII. De admittendis in perpetuos Socios 326

XIII. De juramento admittendorum in veros Socios 327

XIV. De Discipulorum qualitate et electione 328

XV. De Discipulorum admonitione 329

XVI. De numero et officio Ministrorum Sacelli 330

XVII. De Divinis Officiis et Feriis observandis 330

XVIII. De Lectoribus Publicis 331

XIX. De Commensalibus 333

XX. De tempore assumendi Gradus 334

XXI. De tempore assumendi Sacros Ordines 334

XXII. De morum honestate servanda, et dissensionibus sedandis 335

XXIII. De exitu ab Universitate, et venia petenda 336

XXIV. De promotione, et causis deserendi Collegium 336

XXV. De pensionibus ac stipendiis Præsidentis et aliorum ... 338

XXVI. De provisione pro Præsidente et aliis ægrotantibus ... 339

XXVII. De supervisione terrarum et computis faciendis 339

XXVIII. De expensis eorum qui in negotiis Collegii emittuntur 340

XXIX. De custodia bonorum Collegii 340

XXX. De Cistis et Sigillo 341

XXXI. De evidentiis, munimentis, et scriptis 342

XXXII. De Collegii Conciliis 342

XXXIII. De modo procedendi contra Præsidentem criminosum vel alias inhabilem 343

XXXIV. De modo procedendi contra Socios aut Scholasticos in majoribus criminibus 345

XXXV. De punitione in minoribus criminibus 345

XXXVI. De Statutorum exemplaribus in manus tradendis ... 346

XXXVII. De Visitatione, et de Statutorum emendatione 346

*** Some amendments made by the President and Fellows in the 10th and 14th chapters of these Statutes were approved and sanctioned by the Visitor on the 10th of February 1862. They are stated in notes at their respective places.

STATUTES

OF

CORPUS CHRISTI COLLEGE.

PRÆFATIO.

QUONIAM lege latâ anno XVII° et XVIII° Victoriæ Reginæ provisum est ut Collegio cuique apud Oxonienses liceat Fundatoris sui Statuta immutare et emendare, quo magis temporibus et commodis hujus sæculi inserviant, ita tamen ut emolumentum semper merita sequatur, et omnigenæ doctrinæ studiis cum maxime subveniatur, visum est nobis, Præsidenti et Sociis Collegii Corporis Christi, quo Collegium hoc nostrum optime ad certam normam ac regulam administretur et gubernetur, hæc quæ sequuntur Statuta in posterum, quoad penes nos est, sancire.

FUNDATORIS DE SUÂ FUNDATIONE PRÆFATIO.

"Ad honorem pretiosissimi corporis Domini nostri Jesu "Christi, ejusque Matris integerrimæ, cæterorumque Sancto- "rum omnium, ecclesiarum Wintoniensis, Dunelmensis, Bath- "oniensis et Wellensis, necnon Exoniensis, cathedralium pa- "tronorum, nos Ricardus Fox, divinâ vocatione Wintoniensis "Episcopus, Collegii Corporis Christi in Universitate Oxoni- "ensi fundator, extructor, et dotator, veneratissimo sanctissimæ "et individuæ Trinitatis nomine invocato, nostra eidem Colle-

" gio Statuta condidimus, et in hoc originali libro, ad perennem " et perpetuam memoriam et stabilitatem, conscripsimus et " consignavimus, ad hunc modum in ea præfati.

" 'Non habemus hic civitatem manentem, ut ait Apostolus, " sed futuram inquirimus' cœlestem, ad quam facilius et cele- " rius nos pervenire speramus, si, dum in hac vitâ peregri- " namur miserâ et mortali, scalam erigamus, unde faciliorem " paremus ascensum; dextrum latus scalæ appellantes virtu- " tem, sinistrum vero scientiam, gradibus interpositis qui utris- " que serviant lateribus. Habent enim utraque latera suos " gradus, a quibus aut in alta levemur, aut in ima prema- " mur. Nos itaque, Ricardus Fox, divinâ providentiâ Win- " toniensis Episcopus, hâc scalâ et ipsi cœlum ascendere et " ingredi cupientes, et aliis ad ascensum et ingressum hujus- " modi auxiliari et subvenire expetentes, de opibus quas nobis " Deus ex suâ benignitate elargitus est, unum alvearium in " Universitate Oxonii, quod Collegium Corporis Christi appel- " lavimus, fundavimus, ereximus, et extruximus; in quo Scho- " lastici, veluti ingeniosæ apes, dies noctesque ceram ad Dei " honorem et dulciflua mella conficiant ad suam et universorum " Christianorum commoditatem: in quo alvearío Præsidentem, " qui cæteris præsit, viginti Scholares sive Socios, totidem Disci- " pulos, tres Lectores, qui intus operentur, unusquisque suo " officio et ordine, in omne ævum habitare constituimus et " decernimus per præsentes. Ac præterea sex Sacelli Mini- " stros, quorum duo sint sacerdotes, duo clerici non sacerdotes, " acoliti, aut saltem primâ tonsurâ initiati, reliqui vero duo " choristæ."

CAP. I.

DE QUALITATE PRÆSIDENTIS, ET EJUS OFFICIO.

Statuimus ut Præsidens sit probis moribus, integrâ vitâ, famâ inviolatâ, Ordine Sacerdotii constitutus, in sacrâ theologia doctus, non Episcopus, annos natus triginta, Gradu Magistri in Artibus ad minimum insignitus, studio scientiarum artiumque liberalium deditus, in re familiari providus, in his quæ ad proventus, redditus, ædificia, locationes, conductiones, et cætera hujusmodi pertinent, peritus et expertus; ut, veluti rector vigilans, quid bene quidve male actum fuerit facile discernat. Huic omnes et singulos Scholares sive Socios, Disci-

pulos, Ministrosque, et famulos, unumquemque suo ordine, subesse volumus, ut eum timeant ut principem, colant ut patrem, ei in licitis sine murmure parentes; querelas, accusationes, discordias, si quæ fuerint, ad eum deferentes, ut discrete audiat, prudenter judicet, odium et dissidium tollat. In quo officio eum perstare volumus quamdiu se morate gerat et vivat secundum Statutorum ordinem, neque in episcopum sit consecratus, nullumque notabile incidat in crimen, qualia sunt simonia, voluntarium homicidium, perjurium manifestum, incontinentia notoria, dilapidatio, et cætera enormia: in quæ aut eorum aliquid si inciderit, statim, aut saltem intra quindecim dies proxime sequentes, ad ejus amotionem procedatur, et effectualiter ab officio suo juxta formam infra traditam in omne ævum amoveatur. Statuentes præterea ut omnia placita, tam realia quam personalia, dictum Collegium concernentia, in quibuscunque curiis moveantur, dictus Præsidens, in nomine ipsius Præsidentis et Scholarium Collegii Corporis Christi in Universitate Oxoniensi in comitatu Oxoniæ, prosequatur ac defendat. Hoc addito, quod causas aut lites graves, in quibus contingere poterit ipsius Collegii grave damnum, exhæredatio, aut grave præjudicium, absque majoris partis dicti Collegii Sociorum, qui tunc in Universitate Oxoniensi fuerint, non connumeratis etiam in hoc casu absentibus, consilio et assensu, prosequi vel defendere non debebit.

CAP. II.

DE ELECTIONE PRÆSIDENTIS.

Statuimus ut, Præsidente aut per mortem evocato, aut aliam ob causam quamcunque discedente aut amoto, intra tres dies a die notitiæ vacationis supputandos, Vicepræsidens, aut eo absente Socius maxime senior tunc in Universitate præsens, nullâ ad eligendum licentiâ Patroni Ordinarii alteriusve cujuscunque, nec cessionis aut resignationis hujusmodi eis vel eorum alicui exhibitione, aut ab eorum aliquo ejusdem approbatione, expectatâ aut requisitâ, convocet omnes Socios tunc in Universitate præsentes in sacellum Collegii, eisque tunc et ibidem officii Præsidentis vacationem ostendat. Et, ne absentes excusent et allegent ignorantiam, affigat valvis sacelli literas citatorias, vacationem officii ac diem et horam electioni novi Præ-

sidentis significantes, manu suâ et duorum aliorum Sociorum Collegii subscriptas, per quas omnes etiam absentes admoneri possint ut electioni intersint. Huic autem electioni dies assignetur non prior quam vicesimus primus nec remotior quam quadragesimus secundus a vacatione officii; nisi forsan vacatio illa acciderit inter diem quo, in quolibet anno, Encænia ab Universitate habentur, et primum diem Termini S. Michaelis insequentis; in quo casu dies quidam huic electioni assignetur in Termino S. Michaelis, non remotior quam vicesimus primus illius Termini. Die vero ita assignato, ante meridiem, horâ assignatâ, omnes Socii in Universitate præsentes per Vicepræsidentem, aut, eo absente, per Socium maxime seniorem tunc in Universitate præsentem, in sacellum Collegii convocentur. Ibi primo solenniter celebrentur preces, juxta usum Ecclesiæ Anglicanæ, quibus si quis Socius non interfuerit, suffragio suo pro illâ vice careat, et pro absente usque ad completam electionem in omnibus reputetur. Deinde, præsentibus solum Sociis, ad electionem Præsidentis statim procedatur sub hac formâ. Videlicet, primo hoc Statutum una cum proximo præcedente per Vicepræsidentem, aut, eo absente vel legitime impedito, per Socium maxime seniorem tunc in Universitate præsentem, palam et publice perlegatur. Statimque post lectionem Socii jurabunt, omnes et singuli, tactis per ipsos et eorum quemlibet sacrosanctis Dei Evangeliis; viz. alii omnes coram Vicepræsidente, vel, eo absente, coram Socio maxime seniore, et ipse Vicepræsidens, aut, eo absente, Socius maxime senior, coram proxime sibi seniore; quod, postpositis omnimodis amore, favore, invidiâ, odio, timore, acceptione personarum aut patriæ, et partialitate, affectione consanguinitatis, affinitatis, facultatis, et occasione quâcunque aut precis aut pretii, cum omni celeritate quâ poterunt, distincte, expresse, et absolute nominabunt unum, quem in suis conscientiis magis idoneum, sagaciorem, discretiorem, utiliorem ad subeundum, gerendum, exercendum Præsidentis officium speraverint, et quem firmiter crediderint ad bonum et salubre regimen et diligentem curam ipsius Collegii, personarum, Statutorum, ac bonorum ejusdem quorumcunque, et ad terrarum et possessionum spiritualium et temporalium, et jurium ejusdem conservationem, plus posse proficere et velle. Quo juramento ab omnibus et singulis præstito, statim ad nominationem proce-

datur hoc ordine et formâ. Primo duo Socii omnium tunc præsentium maxime seniores, quos scrutatores in hâc electione esse volumus, in duabus schedulis ad hoc paratis scribant sua nomina propria et nomen ejus quem eligent. Deinde reliqui omnes in alterius scrutatoris schedulâ eodem modo et ordine scribant sua vota et suffragia. Proviso ut neque in hâc electione, neque in aliâ quâcunque in Collegio faciendâ, seipsum quisquam nominet. Completo scrutinio, nomina omnium qui tunc nominaverint seu elegerint fideliter inter se calculabunt et nominabunt scrutatores prædicti. Quo quidem scrutinio calculato, illa persona pro electâ habeatur, in quam per dictos Socios vel per majorem partem eorundem consensum fuerit; et statim sine ullâ dilatione pro Præsidente nostri Collegii a seniore scrutatore pronuntietur. Si vero in dicto scrutinio nullus habuerit majorem partem suffragiorum, tunc, absque tumultu et contradictione, iterum consimile fiat scrutinium; et sic deinceps, donec in aliquam unam personam per majorem partem fuerit consensum. Ipseque statim per seniorem scrutatorem palam pro electo publicetur. His itaque peractis, nullo alio juris ordine, processu, sive solennitate requisitis, illa persona sic electa, quam cito commode fieri poterit, per ipsum Vicepræsidentem, si id oneris sponte suâ subire voluerit, sin minus, per alium unum ex Sociis ipsius Collegii, per majorem partem ipsorum, aut, nullis in unum consentientibus, per solum Vicepræsidentem, nominandum, una cum literis electionis prædictæ formam, ac præsentis Statuti, et juramenti per nominatum hujusmodi præstandi, tenores plenarie continentibus, sigillo communi dicti Collegii sigillatis, Domino Episcopo Wintoniensi, ipsius Collegii Patrono, qui pro tempore fuerit, vel, ipso in remotis extra diœcesim suam agente, ipsius in spiritualibus Vicario generali, aut, sede Episcopali vacante, custodi spiritualitatis, præsentetur. Quibus quidem literis super hujusmodi electione et nominatione, modo et formâ prædictis, exhibitis, absque probatione aliâ, aut ulteriori causæ disquisitione vel cognitione, plenam fidem volumus adhiberi. Ipse vero Episcopus Wintoniensis, seu ipsius Vicarius aut custos spiritualitatis, cui dictam præsentationem fieri tunc continget, personam sic electam, absque morâ, dispendio, et sine processu judiciario, et absque impugnatione electionis, præficiat in Præsidentem. Si vero dominus Episcopus supradictus,

aliusve ex prædictis personis ad quem dictam præfectionem spectare volumus, ut præfertur, intra duos dies a tempore præsentationis sibi factæ continue numerandos, noluerit personam in formâ supradictâ præsentatam præficere in Præsidentem, ex eo tempore electus hujusmodi eo ipso, præsentis nostri Statuti vigore, in Præsidentem nostri Collegii sit præfectus, et pro vero legitimo ac perpetuo Præsidente ibi habeatur.

CAP. III.

DE JURAMENTO PRÆSIDENTIS.

Tametsi optimus quisque ad subeundam curam fideliterque obeundum officium suâ sponte esset incitatus, ut tamen magis sit suæ memor salutis, omnem pellens negligentiam, ignaviam, Præsidentem arctiori vinculo astringendum censemus. Volumus itaque ut prænominatus Præsidens statim post præfectionem et confirmationem (si hujusmodi præfectio et confirmatio tunc fiant), cum ad Collegium redierit, sive ab eo cui præsentatur præfectus fuerit, sive non, in præsentiâ omnium Sociorum nostri Collegii tunc in Universitate præsentium, antequam quovismodo administret, tactis et inspectis per eum sacrosanctis Evangeliis, subscriptum præstet juramentum:

"Ego N., in Præsidentem Collegii Corporis Christi in Universitate Oxoniensi nominatus et præfectus, juro, tactis et inspectis per me his sacrosanctis Evangeliis, quod dictum Collegium, omnia beneficia, terras, tenementa, possessiones, redditus spirituales et temporales, jura, libertates, et privilegia, et bona quæcunque ejusdem, nec non omnes et singulos Socios, Scholares, et Discipulos ipsius Collegii, juxta Statuta et Ordinationes ejusdem, absque personarum, scientiarum, facultatum, generis, aut patriæ acceptione quâcunque, pro meâ virili regam, custodiam, dirigam, et gubernabo, et per alios regi, custodiri, et gubernari faciam. Nec ero factiosus, magis favens uni quam alii, contra justitiam et fraternitatis amorem, nec eorum alicui gravamina vel molestias injuste inferam. Correctiones quoque, punitiones, et reformationes debitas, justas, et rationabiles, de quibuscunque delictis, criminibus, et excessibus, Sociorum, Scholarium, aut Discipulorum dicti Collegii, quoties, ubi, et quando opus fuerit, secundum rei qualitatem et quantitatem, omnemque

vim, formam, et effectum Ordinationum et Statutorum, absque favore aut odio, affectione consanguinitatis, affinitatis, aut aliâ quâcunque, diligenter et indifferenter faciam et exercebo, et ea per alios fieri et exerceri faciam et procurabo.

" Item, gubernationi et regimini omnium terrarum, possessionum, reddituum spiritualium et temporalium, nec non administrationi bonorum et rerum ad ipsum Collegium qualitercunque pertinentium, cum omni diligentiâ et providentiâ, fideliter et diligenter intendam, ac alios ejusdem Collegii officiarios et ministros, in diversis officiis et ministeriis deputatos et deputandos, illis intendere faciam juxta posse.

" Item, omnia et singula bona et catalla dicti Collegii in commodum et utilitatem ejusdem Sociorum prædictorum, prout necessitas evidens exegerit, et Statuta et Ordinationes in hâc parte dictaverint, administrabo procuraboque, et faciam utiliter et fideliter dispensari et in omnibus administrari.

" Item, quod lites et placita et jura quæcunque ipsius Collegii, nec non omnia et singula negotia ipsum Collegium qualitercunque concernentia, diligenter prosequar et pro virili defendam; possessiones quoque ac libertates, privilegia, jura quæcunque ipsius Collegii viriliter sustentabo et defendam, et faciam ab aliis sustentari et defendi: hoc tamen proviso, quod causas, placita, lites graves, in quibus verti poterit ipsius Collegii exhæredatio vel grave præjudicium, absque majoris partis Sociorum dicti Collegii, qui tunc in Universitate Oxoniæ fuerint, maturo et deliberato consilio et assensu, non incipiam, neque incepta prosequar vel defendam quovismodo.

" Item, quoties electio vel assumptio alicujus Socii, Scholaris, vel Discipuli, in Collegium prædictum fuerit facienda, intendam et enitar ut solum tales eligantur et assumantur quos habiles et idoneos reputaverim, et quos in virtutibus et scientiis ad honorem et utilitatem Collegii prædicti plus posse proficere ac profecturos crediderim, sine personarum vel patriæ acceptione, amore, favore, odio, invidiâ, timore, prece, ac pretio postpositis quibuscunque.

" Item, si ab officio meo amovear aut si sponte cessero, bona Collegii per me recepta aut apud me remanentia Vicepræsidenti et Dispensatoribus Collegii aut, Vicepræsidente absente, Socio maxime seniori in Universitate præsenti et dictis Dispensatoribus, statim si commode potero, sin minus saltem

intra quindecim dies extunc proxime sequentes, sine contradictione seu diminutione, restituam.

" Item, omnia et singula Statuta et Ordinationes dicti Collegii, in quantum me concernunt, exequar et observabo, et quantum in me fuerit faciam ab aliis observari.

" Item, interpretationibus, injunctionibus, declarationibus, et expositionibus per reverendos in Christo Patres domini Fundatoris successores, Episcopos Wintonienses, super dubiis Statutorum emergentibus ad eos delatis, necnon decretis eorundem, juxta Statutum ' De Visitatione et Statutorum emendatione,' faciendis, obediam, et cum effectu, etiamsi meæ opinioni adversentur, parebo. Et ea præterea in omnibus, juxta planum et literalem sensum, quantum in me fuerit, semper fieri et declarari procurabo.

" Hæc omnia et singula observabo, sicut Deus me adjuvet et hæc sancta Dei Evangelia."

Præterea adjiciendum censemus ut de juramento prædicto statim fiat instrumentum publicum, signo et subscriptione alicujus Notarii publici munitum, istius juramenti diem et formam, et nomen et cognomen Præsidentis prædicti sic jurantis, continens. Quod si quispiam in Præsidentem electus prædictum juramentum in formâ prædictâ realiter non præstiterit, eo ipso pro non Præsidente habeatur; et extunc officium Præsidentis in Collegio nostro vacare decernimus, ac Vicepræsidentem et Socios ad novi Præsidentis electionem procedere eamque consummare debere sancimus.

CAP. IV.

DE VICEPRÆSIDENTIS QUALITATE ET OFFICIO.

Æquum est et consentaneum Præsidentem, quamvis optimum, prudentissimum, vigilantissimum, sub se alios habere duces inferiores, veluti adjutores et consiliarios, qui participes sint ejus solicitudinis et quotidianæ curæ. Statuimus igitur ut in Collegio prædicto, sub dicto Præsidente, sit semper vicarius, unus de discretioribus et maturioribus Sociis, conversatione et bonis approbatus moribus, qui Vicepræsidens nuncupetur. Cujus officium erit diligenter advertere ad bonum regimen Scholarium, et Discipulorum, ac Ministrorum omnium dicti Collegii, ad Statutorum et Ordinationum observationem, ad divinum cultum, ad studii et scientiarum profectum. Ad Vicepræsi-

dentis etiam officium spectat absentis Præsidentis vicem in omnibus gerere et supplere, nisi in his quæ præsentis Præsidentis specialiter requirunt assensum vel auctoritatem. Præsidenti quoque debet Vicepræsidens in consiliis et correctionibus assistere, negligentias, defectus, necnon crimina, excessus, et delicta, quæ a dictis Scholaribus, et Discipulis, et Ministris noverit esse commissa, dicto Præsidenti, si præsens fuerit et res ita exigat, cessantibus omnibus affectione consanguinitatis aut affinitatis, invidia, amore, odio, et timore, denuntiare, ut per ipsum vel alios secundum Ordinationes et Statuta puniantur. Nec prohibemus quin dictus Vicepræsidens habeat potestatem etiam Scholares, Discipulos, Ministros, negligentes aut circa studium desides vel alio modo errantes, circa leviora arguere et increpare, et si oporteat, cum consensu Decani aut, Decano absente, ejus deputati, corrigere et punire, etiam præsente Præsidente. Ad quæ omnia et singula, quantum ad ipsum pertinet, bene et fideliter facienda et observanda, præfatus Vicepræsidens, statim post ipsius admissionem ad officium, reverenter fidem dabit coram Præsidente, in præsentiâ omnium Sociorum dicti Collegii vel majoris partis eorundem tunc in Collegio præsentium.

CAP. V.

DE VICEPRÆSIDENTIS ELECTIONE.

Ut cautiores sint eligentes, et suæ magis salutis ac commodi Collegium inhabitantium memores, mandamus ut, non solum in hâc electione Vicepræsidentis, sed etiam reliquorum officiariorum quorumcunque dicti Collegii, electores omnes, præter Præsidentem, priusquam incipiant eligere, coram ipso Præsidente reverenter fidem dent quod nullum ad aliquod hujusmodi officium nominabunt nisi quem firmiter crediderint pro eo officio exercendo in dicto Collegio, juxta qualitates in ejus officio descriptas, aptum atque idoneum, affectione et partialitate cessantibus quibuscunque. Modus autem eligendi annuatim Vicepræsidentem ita describitur. Primo convocentur per Præsidentem in sacellum vel alium idoneum locum Collegii Socii tunc in Universitate præsentes, et coram eis legatur Statutum officium illud concernens. Deinde eorum

unusquisque præscriptam præstet, exigente Præsidente, fidem. Postea inquirat Præsidens palam et publice vota singulorum illorum, et ille pro Vicepræsidente habeatur quem omnes illi, vel major pars eorundem, in primâ et unicâ illâ inquisitione et nominatione nominaverint. Et si ita discordent inter se ut duo vel tres nominent unum et alii duo vel tres nominent alium, nec in illâ primâ et unicâ nominatione major pars eligentium in unum consenserint, tunc iterum consimile fiat scrutinium; in quo si adhuc major pars ex illis in unum nequaquam consenserint, tunc eo casu, quia nolumus istam electionem diutius differri, ille pro Vicepræsidente habeatur quem solus Præsidens duxerit eligendum. Et quoniam in his Statutis mentio fieri potest de senioribus, ne inde oriatur controversia, declaramus nos ubique sentire de senioribus tunc in Universitate præsentibus. Et nos interpretamur in omnibus actis intra Collegium faciendis aut celebrandis eos esse et reputari aliis seniores, qui prius cæteris in statum Socii fuerant admissi et recepti. Itemque in Discipulis eum alio censemus seniorem qui prius in Discipulum Collegii erat admissus.

CAP. VI.

DE DECANI QUALITATE ET OFFICIO.

Statuimus ut in Collegio sit Censor, quem Decanum appellari volumus, ex discretioribus Sociis clericis annuatim electus per Præsidentem et Socios tunc in Universitate præsentes, secundum modum descriptum in electione Vicepræsidentis. Hujus officium erit speculari et advertere ad Scholarium, Discipulorum, Commensalium, conversationem et regimen, quonam pacto in religione, morum honestate, studio scholastico, indies proficiant, et eos delinquentes corripere et increpare; ipsorum transgressiones, excessus, et delicta Præsidenti vel Vicepræsidenti denuntiare, et ut ipsa juxta Statuta Collegii corrigantur et puniantur diligenter instare; Præsidenti et Vicepræsidenti in consiliis et punitionibus assistere. Ad quæ omnia et singula bene et fideliter observanda prædictus Decanus, statim post ejus admissionem ad suum officium, reverenter fidem præstet coram Præsidente, in præsentiâ omnium Sociorum tunc in Universitate præsentium aut majoris partis eorundem.

CAP. VII.

DE QUALITATE DISPENSATORUM ET OFFICIO.

Statuimus et decernimus ut de Sociis Collegii per Præsidentem et Socios tunc in Universitate præsentes annuatim eligantur et assumantur, secundum modum in electione Vicepræsidentis descriptum, duo Socii Magistri, apti, fideles, et circumspecti, qui Dispensatores vocentur. Horum erit officium redditus et proventus firmarum, maneriorum, beneficiorum, terrarum, possessionum, de ballivis, receptoribus, procuratoribus, firmariis, præpositis, ipsius Collegii, aut de aliis quibuscunque debitoribus aut datoribus, recipere; necnon stipendia omnia, prout Statuta requirunt, vel quæcunque Præsidens et Socii ordinaverint, fideliter dispensare, et de omnibus vel receptis vel solutis rationem plenam et fidelem reddere; ita tamen ut hujusmodi rationes Præsidenti et Sociis semper pateant. Ad quæ omnia et singula bene fideliter et diligenter observanda dicti Dispensatores, statim post ipsorum admissionem ad officium, reverenter fidem dent coram Præsidente vel Vicepræsidente, in præsentiâ omnium Sociorum dicti Collegii vel majoris partis eorundem tunc in Universitate præsentium.

CAP. VIII.

DE OFFICIIS QUIBUSDAM SOCIORUM.

Statutum sit quod quilibet Socius tenebitur officium quodcunque intra Collegium, si ad id deputatus fuerit, in se suscipere, et fideliter adimplere; necnon Electionibus, Admissionibus, aliisque negotiis quibuscunque utilitatem Collegii concernentibus, ad vocationem Præsidentis et Officiariorum, interesse, et in illis se honeste gerere: et, si quis in his rebus, vel in earum aliquâ, deliquerit, nisi ex causâ majori parti Sociorum approbatâ vel approbandâ, quod persona sic delinquens mulctâ quâdam pecuniariâ puniatur, modo dimidium pensionis suæ non excedat; vel etiam liceat Præsidenti et Sociis illum non Socium pronunciare, et auctoritate præsentis Statuti a Collegio protinus amovere.

CAP. IX.

DE QUALITATE ET CIRCUMSTANTIIS ELIGENDORUM IN SCHOLARES ANNO PROBANDOS.

In præfatione Statutorum numerus viginti Sociorum definitus est. Statuimus igitur ut, quoties prædictus numerus Sociorum quocunque casu diminutus fuerit, toties ad supplectionem ejusdem et plenariam completionem singulis annis procedatur tempore constituto. In quâ electione oneramus omnium eligentium conscientias in Altissimo, et in virtute juramenti, ut de bonis personis, castis, modestis, bonæ famæ, doctioribus in bonis literis et scientiis, et in eisdem ad proficiendum magis idoneis, qui die electionis hujusmodi Examinatoribus Publicis satisfecerint, et omnia rite compleverint quæ ab Universitate ad gradum Baccalaurei in Artibus suscipiendum requiruntur, tot eligantur et assumantur, quot possint supplere numerum deficientem. Statuimus etiam ut electi quicunque per unum annum, a die suæ electionis in Scholarem anno probandum, usque ad triduum, vel ad summum quatriduum, ante vel post diem electionis, anno post eorum electionem, uti inferius dicetur, supputando, in Collegio permaneant, antequam in perpetuos Socios ejusdem Collegii admittantur. Quo anno Præsidens et Socii poterunt probare et experiri ingenii capacitatem, in moribus probitatem, in scientiis profectum, et an merito sint accipiendi an repellendi. Quo etiam anno eos, non Socios, sed Scholares intra probationis annum, vocari et declarari volumus. Nec illo anno eis licebit consiliis Collegii interesse, aut officium aliquod in ipso Collegio (Lectorum vel Tutorum officio duntaxat excepto) gerere aut exercere. Volumus quoque ut, intra triduum aut ad summum quatriduum ante vel post diem suæ electionis, anno finito, de uniuscujusque hujusmodi Scholaris habilitate, idoneitate, moribus, literis et profectu in eisdem, ab omnibus Sociis Collegii graduatis in Universitate tunc præsentibus per Præsidentem, vel eo absente Vicepræsidentem, secundum formam infra descriptam inquiratur. Et qui tunc ineptus, inhabilis, aut quovismodo Collegio indignus, modo infra scripto comperiatur, is continuo a Collegio expellatur. Approbatum vero nec

exclusum in Socium perpetuum admitti volumus, statuimus, et mandamus.

CAP. X.

MODUS ELIGENDI SCHOLARES AD ANNUM PROBATIONIS.

Electioni Scholarium ad annum probationis hebdomada certa in quoque anno assignetur, illa scilicet quæ Dominicam in Palmis proxime anteit[a].

Quicunque se Candidatos offerant examinentur in bonis literis et scientiis, sicut Præsidenti et Sociis videbitur. Electioni intersint et suffragio fruantur Præsidens et singuli Socii graduati, si velint et examinationi interfuerint; inter eligendum Socii, per Præsidentem requisiti, necnon ipse Præsidens, nominent palam et publice; et ille pro electo habeatur cui major pars omnium suffragiorum obtigerit; æqualibus suffragiis ille sit electus in quem Præsidens consenserit.

CAP. XI.

DE ADMISSIONE SCHOLARIS ANNO PROBANDI.

Ante vero quam aliquis, electus ut supra, in Scholarem anno probandum admittatur, per Præsidentem in præsentiâ Sociorum graviter moneatur se admissum fore sub hâc conditione, nempe quod Statuta omnia Collegii, quatenus illum concernant, pro virili observet, quod se erga Præsidentem et Socios in omnibus reverenter gerat.

Sciant autem omnes, qui in Societatem juxta consuetudinem quæ adhuc obtinuit ascensuri sunt, se non admittendos fore nisi ad biennium probationis.

[a] By an amendment made in February 1862 the first sentence of Cap. X stands thus:—

Electioni Scholarium ad annum probationis dies semper assignetur, intra annum, sicut Præsidenti et Sociis videbitur.

CAP. XII.

DE ADMITTENDIS IN PERPETUOS SOCIOS.

Verisimile est uniuscujuscunque honestatem, morum probitatem, modestiam, et in disciplinis profectum, ac etiam his contraria, ab eis posse dignosci apud quos annum vel paulo minus peregit. Mandamus igitur ut, intra triduum aut ad summum quatriduum ante vel post diem electionis unius aut plurium, anno finito aut statim finiendo, convocentur in sacellum Collegii vel alium locum idoneum intra Collegium per Præsidentem, vel in ejus absentiâ Vicepræsidentem, omnes Socii Collegii graduati tunc in Universitate præsentes: quos illi convocationi parere volumus. Et statim, ibidem, idem Præsidens, vel eo absente Vicepræsidens, vota omnium et singulorum Sociorum prædictorum, palam et publice, de quolibet Scholarium qui probationis annum ut præfertur compleverit, inquirat; et qui, secundum conscientiam, discretionem, et judicium majoris partis omnium præsentium, repertus fuerit habilis et idoneus, eo ipso, nullâ morâ seu temporis intervallo, per Præsidentem, vel eo absente per Vicepræsidentem, pro approbato et in perpetuum Socium Collegii admittendo pronuntietur, si modo juramentum et declarationem infra dictam præstiterit. Eos autem qui mox post suæ probationis annum a prædictis ut præfertur approbati fuerint, intra octo dies tunc proxime sequentes, in veros et perpetuos Collegii Socios per Præsidentem vel Vicepræsidentem, in præsentiâ majoris partis omnium Sociorum tunc in Universitate præsentium, ut præfertur, admittantur. Si vero quispiam Scholarium prædictorum quorumcunque, post suæ probationis annum ut præfertur completum, a prædictis inveniatur ineptus et excludendus, tunc, sine cujuscunque contradictione, ipsum, de cujus admissione aut approbatione agitur, a Collegio, præsentis Statuti vigore, exclusum fore et esse decernimus ipso facto. Conscientias tamen Præsidentis, si adsit, Vicepræsidentisque et Sociorum graduatorum omnium prædictorum, apud Deum in hac parte gravius oneramus, ut, cessantibus omnimodis odio, amore, invidiâ, acceptione patriæ vel personæ, prece, vel pretio, cæterisque coloribus, occasionibus, et causis postpositis quibus-

cunque, in nullum admittendum aut approbandum consentiant, nisi quem speraverint et firmiter crediderint in eo Collegio ad Dei honorem et profectum studii cum effectu posse et velle proficere; nec, contra, quempiam horum Scholarium ejiciant aut improbent, nisi de cujus moribus, ingenio, et profectu omnino diffidant, aliquove notorio et insigni crimine irretitum crediderint.

CAP. XIII.

DE JURAMENTO ADMITTENDORUM IN VEROS SOCIOS.

Ut autem vigilantiores sint Socii Collegii in Statutorum observatione, formidolosioresque in eorundem violatione, statuimus ut unusquisque Scholaris Collegii, qui annum suæ probationis ut præfertur compleverit, et pro admittendo in verum et perpetuum Socium ejusdem formâ præscriptâ approbatus et pronuntiatus fuerit, intra octo dies ut præfertur priusquam in verum et perpetuum Socium Collegii admittatur, coram Præsidente vel Vicepræsidente et majori parte Sociorum tunc in Universitate præsentium, subscriptum personaliter legat et præstet juramentum:

"Ego —— juro per hæc sancta Dei Evangelia quod omnia Statuta et Ordinationes hujus Collegii, quatenus personam meam concernunt vel concernere poterunt, observabo, et quantum in me fuerit faciam ab aliis observari.

"Item, quod huic Collegio fidelis ero ac diligens in quocunque officio mihi deputando, illudque quantum potero fideliter adimplebo.

"Et de Discipulis ac Scholaribus ad annum probationis eligendis, necnon admittendis in veros Socios ejusdem Collegii, fidele consilium, omni favore, affectione, pretio, et commodo postpositis, tribuam et impendam; ut de bonis personis, castis, modestis, honestis, aptis, et ad studendum et proficiendum habilibus et idoneis, ac etiam proficere volentibus, quantum in me fuerit, provideatur eidem.

"Item, interpretationibus, injunctionibus, declarationibus, et expositionibus, per reverendos in Christo Patres, successores domini Fundatoris, Episcopos Wintonienses, super dubiis Statutorum emergentibus ad eosdem Episcopos delatis,

necnon decretis eorundem, juxta Statutum 'De Visitatione et Statutorum emendatione,' faciendis, obediam, et eis absque ulteriori disquisitione, disputatione, aut contradictione, etiamsi meæ opinioni adversentur, cum effectu parebo. Sicut Deus me adjuvet et hæc sancta Dei Evangelia."

Unusquisque etiam eodem tempore declarare teneatur se Ritibus et Sacramentis Ecclesiæ Anglicanæ uti velle.

CAP. XIV.

DE DISCIPULORUM QUALITATE ET ELECTIONE.

In præfatione Statutorum numerus viginti Discipulorum definitus est[b]. Sint hi bonis moribus et bonâ indole perornati, in grammaticâ necnon artibus ingenuis eruditi. Sint præterea, in primâ ad Discipulatum in Collegio admissione, non graduati, nec annum vicesimum completum excedentes. Super quibus omnibus et singulis eligentium conscientias quantum possumus gravissime oneramus. Volumus quoque ut in Collegio in Discipulatu unusquisque eorum si velit permaneat, et convictu ac cæteris ei assignatis fruatur, quousque quintum a matriculatione suâ annum compleverit, dummodo moribus et scientiâ proficiat; sin minus, per Præsidentem et cæteros quibus id infra commisimus arceatur et puniatur, et, cum ipsa Statuta id postulant et præcipiunt, etiam expellatur. Qui autem annum a matriculatione suâ quintum compleverit, eo ipso a Discipulatu recedat, nullum postea emolumentum a Collegio ut Discipulus ejusdem unquam recepturus. Horum autem Discipulorum nominationem et electionem volumus in sacello vel alio loco idoneo Collegii, quotiescunque aliquis eorum locus vacaverit, certâ quadam hebdomadâ in quoque anno, illâ scilicet quæ Dominicam in Palmis proxime anteit[c], per Præsidentem et Socios, vel saltem per totidem ex iis quot tempore electionis hujusmodi in Universitate præsentes fuerint,

[b] By an amendment made in February 1862 the first sentence of Cap. XIV stands thus:—

"Discipulorum numerum definimus viginti et quatuor.

[c] By an amendment made in February 1862 the words

"quotiescunque aliquis—proxime anteit"

were omitted.

celebrari, significatâ prius per Præsidentem vel eo absente Vicepræsidentem, et late publicatâ modis usitatis, loci vel locorum eorum vacatione, et die pro novi vel novorum Discipulorum electione[d].

Quicunque se candidatos offerant examinentur in bonis literis et scientiis sicut Præsidenti et Sociis videbitur. Hæc sit autem electionis forma: conveniant, die assignato, in sacellum aut alium locum idoneum Collegii Præsidens ac alii Socii graduati, vel saltem totidem ex eis quot in Universitate tunc præsentes fuerint et Examinationi interfuerint; absentes autem suffragiis suis pro illâ vice careant; et ille pro electo habeatur quem major pars dictorum eligentium eligendum duxerit et præferendum; æqualibus suffragiis ille sit electus in quem Præsidens consenserit.

Sint etiam alii quatuor, quos Exhibitionarios vocandos decet, ex bene merentibus per eosdem assumpti, quibus potestas Discipulos eligendi conceditur: qui quidem quatuor pari statu et conditione intra Collegium fruentur, et paribus emolumentis donandi erunt, quibus ipsi Discipuli[e].

CAP. XV.

DE DISCIPULORUM ADMONITIONE.

Juvenis quicunque, electus vel assumptus ut supra, ante quam in Discipulatum vel Exhibitionem admittatur, per Præsidentem, in præsentiâ Sociorum, graviter moneatur se admissum fore sub hâc conditione, nempe quod Statuta omnia Collegii, quatenus illum concernant, pro virili observet, quod se erga Præsidentem et Socios in omnibus reverenter gerat.

[d] By an amendment made in February 1862, the following sentence was inserted at the end of the first paragraph of Cap. XIV.:—

"Volumus quoque ut electio hujusmodi vel semel vel bis in anno quolibet, sicut Præsidenti et Sociis videbitur, fiat, die vel diebus ab iisdem assignandis; proviso semper quod nequaquam teneantur electores in uno quovis anno plures quam quinque eligere, nisi ipsis vel majori parti ipsorum videbitur, quantumvis plures loci quam quinque inter Discipulos vacant."

[e] By an amendment made in February 1862 the sentence

"Sint etiam—ipsi Discipuli"

was omitted.

CAP. XVI.

DE NUMERO ET OFFICIO MINISTRORUM SACELLI.

Ut divina officia decentius et honorificentius peragantur, statuimus ea definire quæ ad Ministros in divinis officiis attinebunt. Hi erunt numero duo, Conductitii, bonâ famâ, probis moribus, ex arbitrio Præsidentis, vel eo absente Vicepræsidentis, et unius Dispensatoris, in Collegium recipiendi, ac ab eodem ejiciendi et amovendi; ita tamen, ut quivis eorum amovendus per tres menses antea per dictorum alterum moneatur ut sibi provideat; nisi fortasse tale commiserit crimen ut ejus mora in Collegio damnum aut scandalum eidem inferat, aut Statutorum et eorum quæ ad suum attinent officium sit contemptor: tunc eo casu quamprimum expellatur. Qui autem suâ sponte discessurus est, is ante Præsidentem, aut eo absente Vicepræsidentem, per sex menses de suâ moneat discessione, nisi ex causâ promotionis possit brevius tempus a prædictis impetrare. Hi duo sint Sacerdotes, quorum alter semper se paratum præbeat singulis diebus profestis preces tum matutinas tum vespertinas in Sacello Collegii celebrare, horâ quam Præsidens ordinaverit.

Diebus vero Dominicis et Festis Decanus, vel ejus Deputatus, illo munere fungi teneatur, virtute officii sui.

Liceat tamen Præsidenti et Sociis posthac quicquid videbitur de Ministris Sacelli decernere, sive Conductitios retinere velint, sive Socium quemvis vel Socios ad illud munus deputare.

CAP. XVII.

DE DIVINIS OFFICIIS ET FERIIS OBSERVANDIS.

Non nisi ad laudem et honorem Dei omnia sunt agenda. Quare singulis diebus intra plenum Terminum preces celebrentur in Sacello mane et vespere, horis a Præsidente assignandis, quibus omnes in Collegio præsentes frequenter interesse teneatur.

Quinetiam, ne qui Benefactorum suorum obliviscantur, vel Fontis illius sint immemores de quo omnia bona defluunt, uno saltem die singulis Terminis gratiæ Deo Optimo solenniter

inter preces agantur, per Præsidentem, si adsit et velit, vel Vicepræsidentem, vel saltem per unum e Sociis ad id munus a Præsidente deputatum, sicut nunc mos est, pro Fundatore Collegii, Ricardo Fox, pro Hugone Oldham, Gulielmo Frost, cæterisque Benefactoribus, quorum ope et munificentiâ plurimi hic aluntur ad pietatem atque ad doctrinæ salutaris studium.

CAP. XVIII.

DE LECTORIBUS PUBLICIS.

"Non conficiunt apes e quibuslibet floribus sine delectu "mella, sed e suavissimi cujusque et optimi odoris saporisque, "qui in ipso nimirum apparent discernunturque, melle. Sunt "itaque variis regionibus e diversitate florum varia mella, nec "potest Britannia Attica aut Hyblæa tantisper producere "mella, dum melligeri illi longe absint flores. Decernimus "igitur intra nostrum alvearium tres herbarios peritissimos in "omne ævum constituere, qui stirpes et herbas tum fructu "tum usu præstantissimas in eo plantent et conserant, ut apes "ingeniosæ e toto Gymnasio Oxoniensi convolantes ex eo "exugere atque excerpere poterunt. Quod non tam ipsis in "alimentum, quam Anglorum universitati in commodum, "decus, et honorem, ad Dei Optimi Maximi laudem, conver- "tant. Quorum trium unus sit Latinæ linguæ seminator et "plantator, qui Lector seu Professor artium humanitatis ap- "pelletur, qui ..... in aulâ nostri Collegii aut alibi loco pub- "lico in Universitate, si ita videatur Præsidenti et majori "parti septem seniorum, publice legat ..... Secundus autem "herbarius nostri alvearii Græcorum Græcæque linguæ erit et "appellabitur Lector ..... Herbarius denique tertius ..... "nuncupabitur et erit Lector Sacræ Theologiæ ..... Sint hi "tres Collegii Socii; ..... quorum singuli, ultra convictus "et vestis portionem, ac ultra pensionem et singula alia emolu- "menta quæ de nostro Collegio alias essent percepturi, certam "pensionem et stipendium, pro lecturis et cæteris quæ eorum "officio hujusmodi incumbunt, de bonis communibus nostri "Collegii, per manus Dispensatorum, singulis annis ad quatuor "anni terminos per æquales ejusdem stipendii portiones, reci- "pient ..... Et si ad cujusvis Lectoris vacans officium nullus

" nostri Collegii idoneus, Præsidentis et eligentium prædicto-
" rum judicio, reperiatur; vel si quispiam in nostro Collegio
" idoneus, multo tamen et doctior et ad id muneris quasi in-
" comparabiliter aptior foris eorundem judicio inveniatur, qui
" in Socium nostri Collegii eligi et ascribi cupiat, nec mores
" refragentur; tunc eum omnibus nostri Collegii Sociis et
" Scholaribus ad id officium præferri, et in Lectorem publi-
" cum, ac etiam in verum ac perpetuum Socium nostri Collegii
" pro loco suæ diœcesis aut comitatus, si tunc in Collegio
" vacaverit, sin minus pro alio loco vacante, quem electores in
" ejus electione prævalentes ei assignare maluerint, intra quin-
" decim dies post ejus electionem ad officium, per Præsi-
" dentem vel Vicepræsidentem, absque ullâ aliâ electione,
" assumi et admitti volumus; gradu, patriâ, beneficio unico
" quocunque, ac Statuto de temporibus et formâ electionis
" Scholarium ad biennem probationem, non obstantibus; dum-
" modo in Angliâ, Græciâ, vel Italiâ ultra Padum natus
" fuerit; quem etiam tum ab obligatione præstandâ, tum a
" vinculo juramenti prædicta concernentis, per præsentes ab-
" solvimus..... Permittimus quoque ut, si tales reperiantur
" extranei, cujuscunque patriæ, incomparabiliter in literis Græ-
" cis aut Latinis excellentes, qui tamen pro eo salario ac cæteris
" a Collegio emolumentis, lectiones Græcas aut Latinas uti
" præfertur interpretandas, una cum cæteris ad ea officia atti-
" nentibus, suscipere noluerint, tunc in eo casu Præsidens et
" electores stipendium talis excellentis de bonis Collegii augere
" poterunt..... Lectores tamen nostri Collegii publicos, tan-
" tisper dum illo munere et officio fungantur, nec ad Sacros
" Ordines suscipiendos, nec aliquam hujusmodi concionem ha-
" bendam,..... arctari atque distringi volumus."

— —

Hisce verbis præfatus est, atque ad hunc modum mentem suam explicavit, munificentissimus ille Fundator, illud plane contemplatus ut non modo domesticis suis verum etiam toti Academiæ Lectores ab illo constituti prodessent, impedimenta quæcunque removenda significans quæ optimo aptissimoque adversari viderentur ne eligeretur, vel ne electus permaneret. Cum vero Lectores hujusmodi, secundum Statuti formam et regulam legentes, vix satis Academiæ profuerint, illa autem

Professorem linguæ et literarum Latinarum constituendum duxerit: Cum etiam Præsidens et Socii Collegii hujusce, propositi illius memores quod Fundatori suo cordi erat, prælectionem, mutatam sane, sed auctam et provectam, instaurare cupierint, atque ad hunc finem se in electione dicti Professoris adhibendos curaverint: Statutum sit, quod Professor linguæ et literarum Latinarum, secundum Statutum illud ab Universitate sancitum electus, in posterum in Societatem Collegii Corporis Christi, illius electionis virtute, 'absque ullâ aliâ electione,' in numerum xx Sociorum cooptetur, non tamen ut suffragandi jure gaudeat, nec in rebus et negotiis Collegii interesse habeat, nisi posthac Collegio visum fuerit aliter decernere, sed honoris causâ: eidem pecuniæ annuatim tribuantur e proventibus Collegii, quantæ Socio Seniori, atque insuper quantum ad perimplendam summam totalem sexcentarum librarum desit.

Porro, quicquid hic statutum est de Professore linguæ Latinæ associando, liceat Præsidenti et Sociis posthac decernere de Professore linguæ Græcæ, sive alius scientiæ, quæcunque Universitati magis profutura videatur, tum quod ad statum ejus, honoris causâ cooptandi, tum etiam quod ad emolumenta, e bonis Collegii recipienda, attinet, si quando, auctis Collegii proventibus, ipsis ita decernere videbitur, et cum Universitate de hâc re convenerit.

Quoniam vero Lector Sacræ Theologiæ nullo tempore, neque vivente Fundatore, neque sequentibus annis, in Collegio exstitit, et Academia in præsens Professoribus Sacræ Theologiæ satis instructa videtur, Præsidens et Socii de tertio illo Sacræ Theologiæ Lectore nihil hoc tempore proponendum duxerunt.

CAP. XIX.

DE COMMENSALIBUS.

Præter illos omnes quos supra numeravimus, alios quoque assumi volumus nomine Commensalium, sicut et ipse Fundator, quamvis arcto limite, contemplatus est, quales intra Collegium admitti quam maxime decere videtur, quod idem ipsi Collegio honori et utilitati vertat. Vivant tamen suis sumptibus, non Collegii; solvant pro educatione suâ feoda rationabilia, et pro cameris, sicut Præsidenti et Sociis visum fuerit;

atque insuper, tempore admissionis suæ, cautionem pecuniariam sufficientem interponant.

Hi omnes, examinatione in literis prius habitâ, prout expedit, per Præsidentem admittantur, et, si necessitas requirat, amoveantur, secundum regulas tamen et conditiones quas Præsidens et Socii ordinaverint.

Quo vero omnes, tum Discipuli, tum Commensales, seu quocunque alio nomine designentur nondum graduati, quam optime in literis et scientiis instruantur, Præsidentis officii est Tutores assignare, qui alumnos hosce, cujuscunque status, sub se habeant, qui ad profectum illorum in bonis literis spectent, qui ingenii cujusque capacitatem explorent et educant, qui denique omnes et singulos incitent ad doctrinæ et honoris cursum diligenter exequendum.

CAP. XX.

DE TEMPORE ASSUMENDI GRADUS.

Statuimus ut unusquisque Socius vel Discipulus qui terminos ab Universitate ad gradum Baccalaurei in Artibus requisitos compleverit, et qui Examinatoribus Publicis secundum Statuta Universitatis in illâ parte saucita satisfecerit, si ad gradum Baccalaureatus aptus et idoneus moribus et scientiâ videatur, tunc ad eum gradum sine morâ promoveatur. Socii vero quicunque Baccalaurei Artium, completis prius, quos Universitas requirit, terminis, ac formis in Universitate consuetis, dummodo digni et habiles judicentur, ad gradum Magistratus sine morâ promoveantur. Præsidentis autem et Sociorum conscientias quantum possumus in Domino gravissime oneramus, ut in prædictis judiciis approbationis vel reprobationis omnem cæcam affectionem deponant, ac duntaxat ad mores et doctrinam eorum qui gradum ambiunt respiciant.

CAP. XXI.

DE TEMPORE ASSUMENDI SACROS ORDINES.

Liceat novem Sociis, nec pluribus, in laico statu permanere. Singuli vero Socii ante annum ætatis suæ XXV com-

pletum Præsidenti declarare teneantur utrum Sacros Ordines suscipere in animo habeant. Horum si quis se in laico statu permanere velle affirmaverit, is anno ætatis suæ XXVII completo e loco suo cedat, nisi interea locorum laicis concessorum aliquis vacaverit. Qui vero se Sacros Ordines suscepturum esse professus sit ante annum ætatis suæ XXVI completum Sacros Ordines suscipiat, et ad Ordinem Presbyterii intra biennium omnino promoveatur, aut Societate privetur, nisi Præsidenti et Sociis visum fuerit eum per sex menses in Societate retinere, gravi morbo, aut Episcopi sedis vacantiâ, aut aliâ causâ consimili obstante quo minus Sacros Ordines intra tempus supra limitatum suscipiat.

Si quis vero Socius die admissionis suæ annum ætatis suæ XXV excesserit, is declarationem supradictam facere statim teneatur. Sociorum Professorum, de quibus in Cap. XVIII dictum est, nulla ratio in hoc Statuto habetur. Liceat iis prout velint vel Sacros Ordines suscipere vel in statu laico permanere.

CAP. XXII.

DE MORUM HONESTATE SERVANDA, ET DISSENSIONIBUS SEDANDIS.

Cum inter homines nihil sit magis decorum quam morum honestas, nihilque hominem a bellua magis discernat quam probitas vitæ, modesta cum aliis conversatio, ac in injuriis, siquæ inferantur, patientia; nos igitur hæc expetentes statuimus, ac in visceribus Jesu Christi obsecramus Præsidentem, Socios, Scholares, ac Discipulos omnes præsentes et futuros, uti in omnibus et super omnia unitatem et mutuam inter se caritatem, dilectionem, pacem, et concordiam semper habeant et observent, ac pro eis semper fovendis et alendis pro viribus enitantur; quodque scurrilitates, quæcunque verba invidiosa, contumeliosa, contentiosa, damnosa, susurra, jurgia, turpiloquia, derisiones, scandala, opprobria, comparationes odiosæ verbo vel facto, quibus de verisimili commoveri possunt Socii vel Scholares, ne proferantur quidem aut ab ore cujusque excidant, neque intra nostrum Collegium neque extra, publice vel privatim.

CAP. XXIII.

DE EXITU AB UNIVERSITATE, ET VENIÁ PETENDÂ.

Statuimus ut si quis Sociorum, Scholarium, Discipulorum, aut Ministrorum Sacelli, ab Universitate exire voluerit, causam suam justam, honestam, et veram Præsidenti aut Præsidente absente Vicepræsidenti et Sociis ostendat, et ab iisdem proficiscendi petat facultatem; quos nolumus in causâ honestâ et verâ esse nimis difficiles. Quamvis igitur Præsidens, (et Vicepræsidens, si Præsidenti et Sociis necesse videatur,) et saltem Decanus, et alter e Dispensatoribus, et Tutores, quotquot sint, continuo residere tenebuntur in pleno Termino, ut vocant, (nisi quatenus et illis nonnumquam aliquantulum temporis abesse contingat,) liceat Præsidenti et majori parti Sociorum cuilibet Socio, Scholari, vel Discipulo absentiæ veniam concedere: hoc proviso, quod nulli venia hujusmodi ulterior concedatur quam unius anni spatium; hoc est de anno in annum; et quod omnes, cujuscunque status aut gradus, extra Universitatem degentes, singulis annis, scilicet circiter diem 1^mum^ Junii, vel personaliter, si quis hâc de causâ Oxoniam adire velit, vel literis missis, Præsidentem certiorem faciant de habitatione suâ et negotio, quo melius videatur utrum venia rursus concedi debeat.

Officiarii vero supra dicti non arctius residere teneantur quam durante pleno Termino.

CAP. XXIV.

DE PROMOTIONE, ET CAUSIS DESERENDI COLLEGIUM.

Statuimus ut si quis Collegii Socius, Scholaris, vel Discipulus uxorem duxerit, vel ad aliquod aliud Collegium in hâc, vel in aliâ quâcunque, Universitate, ut Socius vel Scholaris ejusdem, vel quovis alio nomine vocatus, electus vel assumptus et admissus fuerit; immediate posteaquam aliquod istorum Præsidenti vel Vicepræsidenti et duobus aliis Sociis cognitum fuerit, omne jus et titulum quem in nostro Collegio habuit eo ipso amittat, et ab illo primo notitiæ die in numero Socio-

rum, Scholarium, aut Discipulorum ejusdem nunquam postea numeretur. Si vero prædictorum Sociorum aut Scholarium quispiam patrimonium, hæreditatem, feodumve sæculare, præbendam, liberam capellam aut aliud consimile, aut annuam pensionem ad terminum vitæ duraturam, aut certum annuum reditum quingentarum librarum, exceptis proventibus Academicis, undequaque provenientem, sive e terris, sive e pecuniis, sive ex officio, sive ex his, vel aliquibus ex his conjunctim, ipse, vel alius ad ejus usum et commodum, assecutus fuerit, tunc eum, intra tres menses a tempore assecutionis alicujus hujusmodi hæreditatis, patrimonii, pensionis aut feodi, aut certi reditus annui continuo numerandos, auctoritate præsentis Statuti a nostro Collegio amotum fore statuimus, ipso facto, ac postea pro non Scholare aut non Socio penitus haberi. Quod si quispiam Sociorum aut Scholarium prædictorum beneficium ecclesiasticum, cum curâ vel sine curâ, cujus fructus, redditus, et proventus verum annuum valorem trecentarum librarum, deductis procurationibus et synodalibus, excedant, adeptus fuerit, eum per annum unum et non ultra in nostro Collegio Socium vel Scholarem manere permittimus; volentes ac etiam decernentes ut, post lapsum illius anni, nisi intra annum eundem ipsum beneficium effectualiter et sine fraude dimiserit, vel nisi, cessantibus dolo, fraude, ac perverso ingenio, litigiosum sit, ipso facto pro non Socio aut non Scholare habeatur: qui vero ad beneficium, cujuscunque valoris existat, a Collegio ipso præsentatus fuerit, illum, post lapsum unius anni, pro non Socio aut non Scholare omnino haberi volumus, nisi forte aliter expresse pronunciatum fuerit. Præsidentem vero dicti Collegii propter aliqua beneficia ecclesiastica, redditus vel proventus ecclesiasticos vel temporales, cujuscunque valoris existant, per ipsum obtenta vel obtinenda, vel propter quod uxorem duxerit, ab officio Præsidentis amoveri nolumus vel privari; dum tamen in dicto Collegio juxta formam in Statuto proxime præcedenti descriptam corporaliter resideat, et officium suum juxta Statutorum exigentiam gerat ac debite exequatur. Professoribus etiam, de quibus in Cap. XVIII dictum est, liceat uxorem ducere, et redditus quoscunque temporales, salvâ Societate, tenere: officium vero ecclesiasticum, aliudve, quod muneri rite fungendo obstet, tenere interdicatur. Proviso quod Socii quicunque in nostro Collegio beneficium ecclesias-

ticum quodcunque, cum curâ vel sine curâ, habere poterunt una cum Collegio, dummodo ejus verus valor annuus trecentas libras, deductis procurationibus et synodalibus, non excedat. Discipuli vero qui in aliquod aliud Collegium tanquam Socii vel Scholares admissi fuerint, ipso primo die quo pacificam possessionem habuerint, a numero Discipulorum Collegii amoveantur.

Postremo, si vel Præsidens, vel aliquis Collegii Socius, ab Ecclesiâ Anglicanâ recesserit, is statim postquam cognitum fuerit a Collegio excludatur per Visitatorem, rem deferentibus Præsidente et Sociis.

CAP. XXV.

DE PENSIONIBUS AC STIPENDIIS PRÆSIDENTIS ET ALIORUM.

Redditus et proventus omnes ad Collegium pertinentes, a Dispensatoribus diligenter collecti, in unam summam conferantur: (E Redditibus vero, qui vulgo vocantur 'Rack Rents,' semper reserventur pro singulis centum libris acceptis quindecim libræ, ad reparanda firmarum ædificia et ad alia ejusdem generis efficienda, antequam ad summam illam generalem addantur:) Deinde solvantur per Dispensatores debita Collegii, atque insuper, Præsidente tamen et Sociis mox ad finalem anni computum approbaturis, quicquid consuetudo vel decus Collegii postulabunt: Solvatur item singulis Officiariis, necnon Tutoribus, quicquid Præsidens et Socii ordinaverint: Solvatur item Prælectori cuique publico in Collegium co-optato, vel co-optando, salarium suum sexcentarum librarum: Deinde pro singulis centum libris relictis decem libræ in utilitatem Collegii seponantur. Postremo, post hujusmodi solutiones, dividatur quicquid supererit inter Præsidentem et Socios aliosque Collegii, secundum eandem, quæ nunc obtinet, proportionem, proviso semper quod communibus annis Præsidentis pensio non excedat mille et ducentas libras, neque Socii ultra cameram trecentas, neque Discipuli ultra cameram octoginta.

Ante vero quam Sociorum Seniorum pensio ultra ducentas et quinquaginta libras, vel Sociorum Juniorum ultra ducentas et triginta libras, communibus annis augeatur, Discipulorum pensio augeatur ad octoginta libras ultra cameram.

Cuique autem, cujuscunque conditionis, e Collegio ante finem anni cujuslibet discedenti, vel post annum inchoatum admisso, solvatur pro ratâ septimanarum.

Et quia fieri potest ut auri valor, currente tempore, mutetur, Visitatori liceat ea quæ statuimus de omnium ordinum pensionibus, Præsidente Collegii rem proponente, immutare.

CAP. XXVI.

DE PROVISIONE PRO PRÆSIDENTE ET ALIIS ÆGROTANTIBUS.

Quo in majorem quispiam incidat miseriam, eo firmiori indiget auxilio, ne deploratus omnino pereat. Quocirca, ut in Collegio non omni priventur spe, statuimus ut, si Præsidens Collegii in ægrotationem inciderit, aut insaniam, propter quam oportebit et decebit ipsum ab officio amoveri, tunc ei extra Collegium moraturo de bonis Collegii pro sustentatione suâ fideliter persolvatur talis pensio, qualem V. Præsidenti et Sociis decernere videbitur, modo summam quadringentarum librarum non excedat: Illa tamen pensio vel e pecuniis Præsidenti tributis, vel e communibus bonis Collegii, sicut a V. Præsidente et Sociis decretum erit, extrahatur. Si vero prædictus Præsidens Collegii laboret aliquâ impotentiâ vel infirmitate duntaxat temporali, interea tantum percipiat sicut sanus. Et interim Vicepræsidens, Decanus, et Dispensatores vices ejus cum ejusdem consilio debite suppleant exerceantque, et fideliter exequantur; præterquam in casibus quibus aliter per Statuta et Ordinationes specialiter est provisum. Præterea, si aliquem Socium, Scholarem, aut Discipulum Collegii graviter contingat ægrotare, tantundem a Collegio recipiat quantum sanus esset ab eodem recepturus.

CAP. XXVII.

DE SUPERVISIONE TERRARUM ET COMPUTIS FACIENDIS.

Statuimus ut lustratio per Præsidentem et Dispensatores, vel unum ex iis, ad terras, maneria, silvas, domos quascunque, ad Collegium pertinentes, semper fiat quoties illis hujusmodi supervisio videbitur necessaria. Adjicimus quoque ut singulis annis, die per Præsidentem assignando, circiter diem 1mum

Februarii, plenus et finalis computus coram Præsidente et omnibus Sociis tunc in Universitate præsentibus per Dispensatores fideliter reddatur summarum omnium quæ vel receptæ vel expensæ fuerint anno præterito. Quo computo ut prædicitur reddito et conscripto, statim, sine morâ aliquâ, dicti Dispensatores claves omnium custodiarum quarumcunque eis prius commissarum Præsidenti Collegii reddant, in signum resignationis et dimissionis officiorum suorum. Quod idem, statim post Dispensatores, faciant alii Officiarii clavigeri omnes præter Præsidentem, videlicet Decanus, deinde Vicepræsidens, suisque officiis decedant. Quo facto, ad Vicepræsidentis cæterorumque Officiariorum electionem procedatur, veluti a nobis supra est prænotatum, ordine resignationis converso. Nullique liceat simul duo ex dictis officiis gerere. Proviso ut, qui semel ad aliquod officium in Collegio electus fuerit, is ante finalem computum illius anni ad aliud officium incompatibile invitus minime eligatur aut admittatur. Lectorem autem publicum, invitum vel volentem, ad aliquod aliud officium in Collegio eligi, deputari, aut assumi nolumus ullo modo.

CAP. XXVIII.

DE EXPENSIS EORUM QUI IN NEGOTIIS COLLEGII EMITTUNTUR.

Statuimus ut Socius aut alius quicunque, ad negotia Collegii obeunda emissus, consideratâ causæ et negotii qualitate, loci distantiâ, et aliis circumstantiis, arbitrio Præsidentis, vel eo absente Vicepræsidentis, et utroque absente Vicepræsidentis deputati, Decani, et unius Dispensatoris, expensas habeat necessarias: ita quod Socii et alii quicunque coram prædictis personis fidelem reddant computum de hujusmodi expensis factis.

CAP. XXIX.

DE CUSTODIÂ BONORUM COLLEGII.

Statuimus ut omnia vasa, pocula, salina, cochlearia, et alia necessaria argentea vel aurea in tuto aliquo loco conserventur, et singulis annis per Præsidentem vel unum e Sociis inspi-

ciantur; ad quod facilius faciendum omnia et singula in registro quodam inscribantur. Quod etiam observari volumus in libris in Bibliothecâ repositis: qui ut melius conserventur, liceat Præsidenti et Sociis regulas de admissione in Bibliothecam, de librorum commodatione, aliisque similibus, de tempore in tempus, componere, quæ literis mandentur et in Bibliothecâ, ut mos est, suspendantur. Permittimus etiam ut si forsan tot abundent libri ut inutilis vel molesta sit copia, tunc ex consensu Præsidentis et majoris partis Sociorum vendantur ad utilitatem Collegii: quod idem permittatur in aliis rebus inutilibus, vel quæ tempore putrescant, quibuscumque Collegio collatis, nisi obstet et expresse adversetur donatoris voluntas.

CAP. XXX.

DE CISTIS ET SIGILLO.

Statuimus ut sigillum commune Collegii, literæ patentes Regiæ de licentiâ fundandi Collegium, et originalis charta fundationis ipsius Collegii in quâdam reponantur et includantur cistulâ, quâ tutissime serventur. Quo sigillo communi mandamus ut nihil unquam signetur, nisi quod ante plene et aperte in altero registro, videlicet, indenturarum, obligationum, acquietantiarum, et hujusmodi, vel registro præsentationum ad beneficia, admissionum, electionum, et talium, (volumus enim habere duo,) scribatur, et cum registro publice conferatur et perlegatur, ac per Præsidentem et Socios super hujusmodi scripto mature communiter deliberatum sit, et per eosdem approbatum. In quorum præsentiâ dictum commune sigillum, a parvâ cistâ prædictâ extractum, hujusmodi scripto apponatur. Et si secus fiat per Præsidentem aut alios Collegii, omnes et singulos qui contra formam præscriptam sigillum commune prædictum alicui literæ, obligationi, indenturæ, seu scripto, aut albæ chartæ, seu pergameno vel membranæ non scriptæ cuicunque, apposuerint, et qui ad id faciendum consenserint, ipsos a Collegio privatos fore decernimus ipso facto. Et nihilominus ad satisfaciendum pro damnis et injuriis Collegio eâ occasione illatis seu inferendis arctius remaneant obligati. Et ad hoc vigore præsentis Statuti tencantur.

CAP. XXXI.

DE EVIDENTIIS, MUNIMENTIS, ET SCRIPTIS.

Statuimus ut evidentiæ, chartæ, munimenta, et reliqua scripta in superiori camera turris ponantur, vel alibi, ubi tutissime serventur. Prohibemus insuper Præsidenti ac omnibus et singulis Sociis Collegii, ne ad ostensionem evidentiarum seu earum exemplariorum sint nimis proni aut properi, præsertim in hujusmodi quibus tangitur jus seu titulus possessionum Collegii; sed tantummodo fiat ostensio hujusmodi cum deliberatione maturâ, cum ad hoc moneat urgens causa et necessaria valde, et cum eorum jurisprudentium consilio in quibus præ cæteris cônfidunt; ut sic evitentur imaginationes, inventiones subtiles, ac pericula quæ insequi poterunt.

CAP. XXXII.

DE COLLEGII CONCILIIS.

Statuimus ut bis unoquoque anno certis diebus in hoc per Præsidentem et Socios constituendis convocentur omnes Socii cum Præsidente de communibus negotiis tractaturi. Et præterea ut Præsidens, quoties ipsi videbitur, vel quoties duo e Sociis scripto postulaverint, Socios omnes graduatos in Universitate præsentes ad communiter tractandum et deliberandum convocet. Nihil autem agatur nisi quatuor Sociis ad minimum præsentibus cum Præsidente vel Vicepræsidente: quicquid vero per eos, vel per majorem partem eorundem, deliberatum et consensum fuerit, roboris habeat firmitatem.

De negotiis omnium Sociorum statum vel emolumenta concernentibus non nisi Conciliis bis in anno certis diebus convocandis, ut supra dictum est, tractare liceat, nisi re admodum urgente, et absentibus per Præsidentem specialiter ad hoc citatis.

Præsidens semper negotia de quibus tractandum est in citatione declarabit.

In Conciliis ita convocatis quæstionem quamcunque Col-

legii negotia vel regimen concernentem proponere teneatur Præsidens quam unus et alter e Sociis se proponi velle declaraverint. Quod ad suffragia attinet, unusquisque Socius uno gaudeat, Præsidens duobus; et si forte æqualiter divisa fuerint suffragia eidem Præsidenti prævalens suffragium tribuatur.

Per Præsidentem et Socios ubique intelligimus majorem partem totius Concilii, Præsidentis consensu ad quodcunque negotium perficiendum minime requisito. Similiter per Præsidentem et majorem partem omnium Sociorum intelligimus majorem partem totius Collegii sive consentiente Præsidente sive dissentiente.

CAP. XXXIII.

DE MODO PROCEDENDI CONTRA PRÆSIDENTEM CRIMINOSUM VEL ALIAS INHABILEM.

Statuimus ut Præsidens quicunque propter terrarum, tenementorum, reddituum, possessionum spiritualium seu temporalium, suâ culpâ diminutionem seu alienationem, vel propter detractionem, ablationem, alienationem illicitam bonorum et rerum ipsius Collegii, infamiam incontinentiamque notabilem, negligentiam intolerabilem, homicidium voluntarium, aliamve causam enormem ipsum Præsidentem omnino reddentem criminaliter irregularem vel aliter inhabilem, necnon propter insaniam, cujus occasione non poterit absque scandalo officium hujusmodi exercere, ab eo penitus amoveatur. Ad cujus amotionem hoc modo procedatur: videlicet, statim, vel saltem intra quindecim dies postquam aliquod præmissorum commiserit vel in eorum aliquod inciderit, primo per Vicepræsidentem, assistentibus ei aliis duobus Officiariis clavigeris, et duobus aliis Sociis ex septem simpliciter senioribus dicti Collegii, vel saltem cum assensu et assistentiâ duarum tertiarum partium omnium Sociorum dicti Collegii, vel, Vicepræsidente nolente aut negligente, per Decanum, cum prædictorum assistentiâ, moneatur Præsidens et suadeatur ad voluntarie cedendum ab officio. Quod si sponte intra triduum cedere noluerit, tunc, intra octo dies post hujusmodi monitionem, Vicepræsidens, assensu et testimonio omnium Sociorum dicti

Collegii vel saltem omnium prædictorum, modo aliquo prædicto sibi in Præsidentis monitione assistentium, vel, ipso nolente aut negligente, dictus Decanus, cum assensu et testimonio prædictorum, denunciabit Domino Wintoniensi Episcopo, aut, eo in remotis agente, Vicario in spiritualibus generali, seu, sede Wintoniensi vacante, custodi spiritualitatis ejusdem, per duos aut tres ipsius Collegii Socios seniores, cum literis aliquo sigillo authentico ac signo et subscriptione alicujus Notarii publici signatis, vel saltem, loco sigilli authentici, subscriptione dicti Vicepræsidentis vel Decani et prædictorum assistentium, ac Notarii publici signo, communitis, causas, defectus, crimina, excessus, vel enormia Præsidentis continentibus. Proviso quod omnes hujusmodi assistentes ac testimonium perhibentes, prius tactis sacrosanctis Evangeliis, coram Vicepræsidente aut Decano, ipso primum id coram eis præstante, ac deinde a singulis illorum exigente, jurabunt quod non per invidiam, malitiam, odium, vel timorem ipsius Præsidentis, amorem vel honorem alicujus promovendi ad illud officium, nec per conspirationem æmulorum aut confœderationem, nec per procurationem alicujus vel aliquorum, nec prece aut pretio aut alio quocunque modo illicito inducti, sed solummodo pro bono zelo et utilitate Collegii prædicti, et pro utiliori et convenientiori regimine ejusdem et honore, testimonium illud perhibebunt. Episcopus vero Wintoniensis, vel, ipso in remotis agente, suus Vicarius in spiritualibus generalis, aut, sede Wintoniensi vacante, custos spiritualitatis ejusdem, de causis, criminibus, excessibus, et defectibus, contra dictum Præsidentem propositis, summarie et de plano et extrajudiciali cognoscat; et si, per sufficientes informationes ministratas, hujusmodi suggesta, quæ ad dicti Præsidentis amotionem sufficere debeant, reperiat esse vera, statim, aut saltem intra triduum proxime secuturum, ipsum ab officio suo et ab administratione suâ amoveat, sine ulteriori dilatione, dictique Collegii Sociis denuntiet et injungat ut ad electionem novi Præsidentis libere procedere valeant et debeant, juxta formam in Statutis superius expressam, cessantibus appellationis, recusationis, querelæ, aut cujuscunque alterius juris et facti remediis, quibus hujusmodi amotio valeat impediri aut differri, quæ omnia irrita esse volumus, statuimus, et decernimus ipso facto.

CAP. XXXIV.

DE MODO PROCEDENDI CONTRA SOCIOS AUT SCHOLASTICOS IN MAJORIBUS CRIMINIBUS.

Statuimus ut, si contra aliquem Sociorum, Scholarium, vel Discipulorum Collegii infamia oriatur, super crimine hæresis, simoniæ, aut de perjurio manifesto, vel furto notabili, homicidio voluntario, adulterio, vel super aliquo crimine de majoribus criminibus, vel super eo quod notorius fornicator existat, aut aliquod factum perpetraverit per quod aliquod damnum, præjudicium, vel scandalum, judicum hic designatorum sententiâ, multum grave dicto Collegio generetur; et præmissa vel eorum aliquod coram Præsidente, assistentibus ei Vicepræsidente, Decano, et Dispensatoribus, vel saltem Decano, uno Dispensatore, et aliis tribus ex septem maxime senioribus, publice confessus fuerit, vel eorum judicio et sententiâ debite convictus fuerit, eum statim a Collegio, præsentis virtute Statuti, nullâ aliâ monitione præmissâ, exclusum et privatum fore ipso facto decernimus, absque cujuscunque appellationis, nisi ad Visitatorem, vel querelæ remedio.

CAP. XXXV.

DE PUNITIONE IN MINORIBUS CRIMINIBUS.

Statuimus ut si quis Socius, Scholaris, Discipulus, aut Minister crimen vel delictum aliquod de levioribus commiserit, de quo probabiliter coram Præsidente, vel quod ad non Socios attinet Vicepræsidente et Decano, fuerit convictus, veluti inobedientiam non pertinacem, aut irreverentiam nequaquam gravem contra Præsidentem vel Vicepræsidentem, aut contra suum seniorem, sive jurgium breve vel verbum indecorum cum Vicepræsidente, Decano, Dispensatoribus, vel aliis Sociis, seu levis contentio per eum in dicto Collegio vel extra fuerit suscitata, vel alio modo leviter excesserit seu deliquerit, per quod grave scandalum sibi vel Collegio

minime generetur, is per Præsidentem, vel si non Socius sit Vicepræsidentem vel Decanum, corripiatur de commisso, et moneatur attente ne postea talia attentare præsumat. Quod si postea in eodem vel consimili sic iterum delinquat, si in Statutis alibi de hujusmodi crimine, delicto, vel pœnâ pro eo infligendâ, aut ad quorum arbitrium pro eo puniri debeat, expressa mentio facta fuerit, tunc secundum exigentiam eorundem puniatur et castigetur. Quod si in eisdem de hujusmodi delicto vel pœnâ expressa mentio facta non fuerit ad quorum arbitrium pro eo puniri debeat, tunc secundum excessum et delicti quantitatem Præsidens, vel si non Socius sit Vicepræsidens vel Decanus, eum corrigat puniatque pro commissis.

CAP. XXXVI.

DE STATUTORUM EXEMPLARIBUS IN MANUS TRADENDIS.

Tametsi ignorantia cæca in his, ad quæ observanda adstringitur quispiam, nemini opitulari debeat, sed adversari potius et in eum objici; ne tamen quispiam in hoc nostro Collegio eam frustra adducat pro defensione, statutum sit ut hæc Statuta typis mandentur, atque ut eorum exemplar cuique Socio, Scholari, Discipulo, et Exhibitionario, in Collegium admisso, tempore admissionis suæ, in manus tradatur.

CAP XXXVII.

DE VISITATIONE, ET DE STATUTORUM EMENDATIONE.

Si quando annorum cursus vel rerum difficultas Statuta ipsa in aliquâ parte mutari, aut etiam nova adjici, poscat, illud fiat proponentibus Præsidente et majori parte omnium Sociorum, et consentiente Visitatore.

Quum autem super aliquo Articulo Statutorum opinionum varietas et discordia inter Præsidentem et Socios, aut inter ipsos Socios, aliosve quoscunque Collegii oriri possit: quum porro aucti redditus, vel (quod facile evenire potest) mutatus auri valor distributionem vel auctam, vel novam, vel etiam latiorem, requirere videatur: quæ omnia, et similia, summâ

quâdam auctoritate dijudicari et sanciri decet: has propter causas liceat semper Domino Episcopo Wintoniensi, qui pro tempore fuerit, de dubiis, quæstionibus, et querelis, necnon de propositis quibuscunque ad illum delatis, judicare et decernere: cui quidem judicio vel decreto quisque intra Collegium, cujuscunque status aut gradus sit, sine ullâ controversiâ obtemperare teneatur quatenus illum concernat, et cum effectu parere.

Eidem quoque Domino Episcopo Wintoniensi liceat, absque requisitione ullâ, ad Visitationem Collegii, de quinquennio in quinquennium semel, per se vel per Commissarium suum, libere accedere, et excessus et negligentias, crimina et delicta, si quæ sint, in eâ Visitatione comperta, secundum excessus exigentiam, et criminis aut delicti qualitatem, debite punire et reformare.

Illos tamen, successores Fundatoris, Dominos Episcopos Wintonienses, Collegii Patronos et Visitatores ab ipso constitutos, quos ideo summâ cum reverentiâ et summo honore accedere decet, liceat orare et obsecrare, ut ex suâ liberalitate, merâ benignitate adducti, et fervidâ caritate in Fidem Christianam inflammati, ita ad hoc alvearium conservandum invigilent, ut Statuta ejusdem observentur, ut virtutes et doctrina nutriantur, ut possessiones et bona spiritualia et temporalia prospero statu floreant, ut jura, libertates, et privilegia defendantur et protegantur.

Omnia priora Statuta et Visitatorum decreta his Statutis repugnantia per præsentes abrogamus, salvis quæ per Legem ante dictam reservantur.

These Regulations and Ordinances, written on twenty-four sheets of parchment, each of which is certified by the President of the College, James Norris, by the signature of the initial letters of his name in the margin thereof, have

been made by us, the President and Scholars of Corpus Christ College, for the amendment of the Statutes of the same College, under the powers conferred by the 17th and 18th Victoria, cap. 81, and are submitted to the Commissioners appointed by the same Statute for their approval.

Given under our Common Seal this Ninth day of October 1855.

L. S.

Laid before us, the said Commissioners, this Ninth day of October one thousand eight hundred and fifty-five, and approved under our Common Seal.

L. S.

ORDINANCES

CONCERNING

CHRIST CHURCH.

PAGE

1. General Ordinance 351

2. Ordinance concerning Lady Holford's Exhibitions 365

ORDINANCES

CONCERNING

CHRIST CHURCH.

General Ordinance, framed by the Commissioners.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to "make further Provision for the good Government and Ex- "tension of the University of Oxford, of the Colleges therein, "and of the College of Saint Mary Winchester," ordain as follows in relation to the Cathedral or House of Christ Church in Oxford:—

1. The first and second Canonries in the said Cathedral or House, which shall become vacant after the approval of this Ordinance by Her Majesty in Council, not being Canonries annexed by law or custom to any Professorship or Archdeaconry, shall not be filled up.

2. In place of the hundred and one Studentships now existing within the said House, there shall be established and maintained within the House twenty-eight Senior Studentships and fifty-two Junior Studentships, twenty-one of which shall be called Westminster Junior Studentships, and the remaining thirty-one are herein-after referred to as open Junior Studentships. Of the open Junior Studentships there shall be seven which shall be called the Fell Studentships, two which shall be called the Bostock Studentships, and two which shall

be called respectively the Vernon and the Boulter Studentships.

3. Two of the said twenty-eight Senior Students shall be maintained out of the income of the lands and tenements now held by the Dean and Chapter under the will of Dr. Matthew Lee, with emoluments not less than Two hundred pounds each *per annum*, exclusive of rooms, but inclusive of all other allowances. Such two Senior Students shall be called respectively Dr. Lee's Reader in Anatomy, and Dr. Lee's Reader in Chemistry. The former of the said two Studentships shall be established as speedily as possible after the approval of this Ordinance by Her Majesty in Council if the Readership in Anatomy founded by the said Dr. Matthew Lee shall then be vacant, or, if not, immediately after the first vacancy therein, in substitution for that Readership, which shall not hereafter be filled up. The emoluments of the other Senior Studentships shall be Two hundred pounds each *per annum*, exclusive of rooms, but inclusive of all other allowances, or as near thereto as the funds available for the time being will permit. The emoluments of the open Junior Studentships shall be Seventy-five pounds each *per annum*, exclusive of rooms, but inclusive of all other allowances; those of the Westminster Junior Studentships shall at the first establishment thereof respectively be not less than Seventy-five pounds each *per annum*, and shall be raised as speedily as may be to such amount, not less than One hundred and fifteen pounds nor more than One hundred and twenty-five pounds each *per annum*, as the Dean and Chapter shall determine. There shall be applied towards the maintenance of the Senior Studentships (other than those held by the said Dr. Lee's Readers), and of the said fifty-two Junior Studentships, the emoluments of the existing hundred and one Studentships as the same shall become vacant, and the emoluments of the aforesaid two Canonries (subject to a deduction out of the gross emoluments of each Canonry of all payments now usually made out of such emoluments): Provided that the emoluments of the said Canonries shall be applicable to the maintenance of such of the Senior Studentships as are herein-after termed Clerical Studentships, yet not so as to raise the emoluments of any Clerical Studentship above those of any Lay Studentship, or to increase the num-

ber of Clerical Studentships beyond the amount herein-after mentioned. The emoluments of the Exhibitions of the foundations of Bishop Fell, of Archbishop Boulter for Commoners, and of Mrs. Bostock, shall be applied towards the maintenance of the said thirty-one open Junior Studentships. An annual sum of One thousand two hundred and sixty pounds out of the income of the said lands and tenements, together with the emoluments of the Exhibitions of the foundations of Dr. South, Dr. Frewin, and Canon Hill, shall be applied towards the maintenance of the twenty-one Westminster Junior Studentships. The provisions of this Ordinance shall not be construed to extend to or include the estate held under the will of Bishop Wood for the benefit of the Senior Masters of the House, being Students, or any payments or allowances which may be made thereout pursuant to the said will, except that holders of Senior Studentships shall, and holders of Junior Studentships shall not, be deemed Students of the House within the meaning of the said will.

4. If after the whole number of the aforesaid twenty-eight and fifty-two Studentships shall have been completed, with the full emoluments specified in the next preceding clause, the Dean and Chapter shall have at their disposal, from the sources herein-before made applicable to the maintenance of the Senior Studentships (other than those held by the Lee's Readers) and of the fifty-two Junior Studentships, means sufficient for the purpose, it shall be lawful for them to establish and maintain within the house, besides the said twenty-eight and fifty-two Studentships, any number of additional Senior Studentships not exceeding twelve, and any number of additional Junior Studentships not exceeding nine. It shall also be lawful for the Dean and Chapter, at any time, to establish and maintain, out of any funds at their disposal not appropriated by this and the next preceding clause, any number of additional Senior and Junior Studentships which they may think fit. The electors, mode and conditions of election, emoluments, and conditions of tenure, to and of the additional Senior and Junior Studentships, shall be the same as are herein prescribed with respect to the said twenty-eight Senior and thirty-one open Junior Studentships (other than the Vernon Studentship) respectively.

5. The election of Senior Students (including the Lee's Readers) shall be vested in the Dean, the Canons, the two Censors, and the four Senior Tutors of the House, and shall be held on a stated day or stated days in each year, to be appointed by the electors, subject to the provision for postponement herein-after contained; and notice of such intended election, and of the conditions of election, shall be given by the Dean, in such manner as he shall deem best adapted to secure publicity, thirty days at least before the day of election. It shall be lawful for the electors whenever they shall think fit, having regard to the subjects of examination, to appoint an assessor or assessors, not being more than two in number, to assist them in examining candidates for Senior and Junior Studentships.

6. The Senior Students shall be persons of unblemished character, conforming to the Liturgy of the United Church of England and Ireland as by law established, who shall have passed all the examinations required by the University for the degree of Bachelor of Arts, unmarried, and not disqualified by the possession of any such property, benefice, pension, or office, as herein-after mentioned. The candidates shall be examined in such subjects connected with the studies of the University as the electors shall determine; provided that the system of examinations shall be such as shall render Senior Studentships accessible from time to time to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the electors shall choose that candidate who after such examination shall appear to them to be of the greatest merit and most fit to be a Senior Student of the House as a place of religion, learning, and education. That candidate for whom the greatest number of votes shall have been given shall be deemed elected. In case of an equality of votes, the Dean, or in his absence the Sub-Dean, or in the absence of both, the senior Canon present, shall give an additional casting vote.

7. Of the said twenty-eight Senior Studentships, nine (including the Lee's Readerships) shall be Lay and nineteen shall be Clerical Studentships. The holders of the Lay Studentships shall not be required, as a condition of retaining their Studentships, to take Holy Orders; but if any Lay Stu-

dent should do so, then upon the next vacancy in a Clerical Studentship a Lay Student shall be elected, so that the aforesaid proportion between Lay and Clerical Studentships shall always be preserved as nearly as may be. No person shall be eligible to a Clerical Studentship who shall not either be a Priest or Deacon of the United Church of England and Ireland, or declare that he intends to take Holy Orders in the said Church. Every person who shall have made such declaration, or who, at the time of his election, shall be in Deacon's Orders, shall be required to take Priest's Orders within four years after the time at which he shall be of sufficient standing, according to the Statutes of the University, to take the degree of Master of Arts, and in default thereof shall vacate his Studentship: Provided that it shall be lawful for the Dean and Chapter, in case of sickness, or for any other very urgent cause, to grant a delay for a period not exceeding six months. The said twelve additional Senior Studentships mentioned in clause 4, or so many of them as may be established under that clause, shall likewise be divided into Clerical and Lay Studentships, one at least in every three being a Lay Studentship. Any other additional Senior Studentships, which the Dean and Chapter may establish under the same clause out of funds not appropriated as aforesaid, may also be divided in the same or any other proportion, or may be exclusively Lay or Clerical, as the Dean and Chapter may think fit. The Lee's Readers in Anatomy and Chemistry shall be persons qualified to teach those sciences respectively, and shall be bound to lecture or otherwise give instruction therein as the Dean and Chapter may direct. No person in Holy Orders shall be eligible to either of the said Readerships, and any Reader who shall take Holy Orders shall thereupon vacate his Studentship.

8. Every person elected to a Senior Studentship shall undergo probation for twelve calendar months from the day of his election inclusive, and at the end of such twelve calendar months shall be admitted an actual Senior Student, if found fit in the judgment of the then electors to Senior Studentships. Every person admitted to probation shall receive during the period of probation the same emoluments as if he had been

admitted an actual Senior Student, but shall not be entitled to vote on any occasion.

9. Every Senior Student who shall marry shall thereupon vacate his Studentship.

10. Every Senior Student who shall be instituted to an ecclesiastical benefice, or shall become entitled either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office, for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if such ecclesiastical benefice be a benefice with cure of souls, (except in certain cases to be specified as herein-after mentioned,) or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources (including or not including a benefice with cure of souls), clear of deductions (except for property or income tax), shall exceed Five hundred pounds, vacate his Studentship at the expiration of such twelve calendar months; and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities, at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. It shall be lawful for the Dean, Canons, two Censors, and four Senior Tutors to declare, by a bye-law or bye-laws, in what cases a benefice with cure of souls may be tenable with a Senior Studentship. The word "property" shall in this clause include any estate or interest in possession in any property real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property, or any of such sources of income, shall have been acquired shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. It shall be lawful for the Dean and Chapter to require from any Senior Student any information which they may deem

necessary for enabling them to enforce the provisions of this clause.

11. It shall be lawful for the electors to Senior Studentships to elect distinguished persons to Honorary Studentships within the House. Persons so elected shall be termed Honorary Students, and shall not be entitled to vote on any occasion as Students, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the said electors shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Studentships, and the mode of election thereto, may also be determined by the electors from time to time. Honorary Students shall not, in the construction of this Ordinance, be counted among the Students of the House, nor Honorary Studentships among the Studentships of the House.

12. Every Senior Student who shall be appointed to a Canonry in the House (whether annexed to a Professorship or not), or shall be elected to and accept a Headship or Fellowship in any College within the University, shall thereupon vacate his Studentship.

13. The Dean, Canons, two Censors, and four Senior Tutors shall, within six calendar months after the approval of this Ordinance by Her Majesty in Council, and from time to time thereafter, make such regulations respecting the residence of Senior Students within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Senior Student, as they may deem expedient for the interests of the House as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and, in case of contumacious non-compliance, by deprivation.

14. Every holder of a Clerical Studentship shall be required to take the degree of Master of Arts within one year after the time at which he shall be of sufficient standing to take that degree by the Statutes of the University; and every holder of a Lay Studentship shall be required to take either the degree of Master of Arts, or the degrees of Bachelor and Doctor of Civil Law, or those of Bachelor and Doctor of Medicine, within one year after the times at which he shall be of

sufficient standing to take those degrees respectively by the Statutes of the University. Any Student failing to comply with the foregoing provisions shall vacate his Studentship; provided that the Dean, Canons, two Censors, and four Senior Tutors may, whenever they shall deem it just on special grounds to do so, allow the taking of any such degree to be postponed for a period not exceeding, except in case of unsoundness of mind or disability of body, one year.

15. Any Senior Student who shall, in the judgment of the Dean, Canons, two Censors, and four Senior Tutors, or the greater part of them, have been proved guilty of grave immorality, or of contumaciously ceasing to conform to the Liturgy of the United Church of England and Ireland as by law established, shall cease to be a Student of the House; and every Senior Student who shall in like manner have been judged guilty of conduct bringing dishonour upon the House, of gross negligence or misconduct in any office within the same, or of contumacious non-observance of the Statutes or Bye-laws of the House, or of grossly offensive behaviour towards any member thereof, may be deprived of his Studentship by the Dean, Canons, two Censors, and four Senior Tutors, if, in the judgment of them or the greater part of them, the gravity of the offence shall so require.

16. The Westminster Junior Studentships shall be filled up at Westminster School, on the Wednesday in Rogation Week in each year, by election from those boys on the Royal Foundation of the Collegiate Church of Westminster who shall have been presented as candidates by the Head Master of the said school. The electors shall be those who, if this Ordinance had not been made, would have been entitled to elect to Studentships under the Statutes of the said Collegiate Church. The candidates shall be examined in such subjects as shall have been previously selected by the Head Master with the approval of the Dean of the said Collegiate Church, and in such manner as the electors shall determine; and those candidates shall be elected who, after such examination, shall appear to the electors to be of the greatest merit and who shall desire to proceed to Christ Church, and shall, in the judgment of the Dean of Christ Church, or his duly appointed representative, present at the election, be in all respects fit to be admitted

Students of the House. Whenever there shall be no duly qualified candidate for a Westminster Junior Studentship of sufficient merit for election in the judgment of the majority of the electors, and fit as aforesaid to be admitted a Student of the House, the election to such Studentship shall be postponed to the next annual election day; but if there shall then be no duly qualified candidate of sufficient merit for election, and fit as aforesaid, such Studentship shall be thrown open for that turn to general competition as an open Junior Studentship, and the election thereto shall be held at Christ Church by the same persons, after public notice for the same time, and after an examination conducted in the same manner as an ordinary election to an open Junior Studentship.

17. The Patron of the Vernon Studentship shall be the same as of the Vernon Studentship existing within the House at the time of the date of this Ordinance. The election to the remaining thirty open Junior Studentships shall be vested in the electors to the Senior Studentships. The election to open Junior Studentships, other than the Vernon Studentship, shall be held on a stated day or stated days in each year to be appointed by the electors, subject to the provision for postponement herein-after contained; and notice of such intended election, and of the conditions of election, shall be given by the Dean, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election. The candidates shall be examined in such subjects as the electors shall determine; and that candidate shall be elected who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be a Student of the House; provided that in elections to one in every three open Junior Studentships the subjects of competitive examination shall be alternately Mathematics and Physical Science. On each vacancy occurring in the Vernon Studentship, the Patron shall be required to appoint an election thereto at the next ensuing election to open Junior Studentships. The candidates shall be examined by such persons and in such manner as the Patron shall appoint; and that candidate shall be chosen who after such examination shall appear to the Patron to be of the greatest merit. If the Patron shall decline or neglect to appoint an election and

examiners, thirty days' previous notice at least having been given to him by the Dean, the election to the Vernon Studentship shall be held for that turn by the same persons and in the same manner as to the other open Junior Studentships; provided that no candidate for the Vernon Studentship, or for any of the Studentships appropriated to the encouragement of Mathematics and Physical Science as aforesaid, shall be entitled to be admitted to a Studentship if in the judgment of the electors to open Junior Studentships he shall not be in all respects fit to be a Student of the House.

18. No person shall be admissible as a candidate for any open Junior Studentship who shall have completed the eighth Term inclusive from the date of his matriculation, or who shall not have produced a certificate of baptism and testimonials of his moral character satisfactory to the Dean: Provided that the foregoing regulation, so far as it relates to the University standing of the candidates, shall not take effect until after the first election shall have been held to open Junior Studentships, if such first election shall be held within six months after the approval of this Ordinance by Her Majesty in Council.

19. Each Westminster Junior Studentship shall be tenable until the Tuesday in Rogation Week in the seventh year from the day of election inclusive, and no longer. Any Junior Studentship which shall be filled up at Westminster School at an election postponed under the foregoing provisions shall be tenable until the Tuesday in Rogation Week in the sixth year from the day of election inclusive, and no longer. Any Westminster Junior Studentship which shall be thrown open to general competition shall be tenable until the expiration of the period for which it would have been tenable if the election thereto had not been postponed, and no longer. Each open Junior Studentship shall be tenable for five years from the day of election inclusive, and no longer. The electors to the Junior Studentships shall not be required to fill up in any one year more than three Westminster Junior Studentships (exclusive of any Studentship the election to which may have been postponed under the foregoing provisions,) nor (until the said nine additional open Junior Studentships shall

have been established) more than six open Junior Studentships.

20. The whole number of the said twenty-eight Senior and fifty-two Junior Studentships shall be completed as speedily as the amount of the funds gradually becoming available will permit. The relative rate at which the whole number of Senior and Junior Studentships shall be established shall be in the discretion of the Dean and Chapter; provided that three Westminster Junior Studentships of the value of at least Seventy-five pounds each *per annum*, exclusive of rooms, (to be raised with all convenient speed to One hundred and fifteen pounds *per annum* at least, exclusive of rooms,) shall be established in every year in which the Dean and Chapter shall have in their hands sufficient means for the purpose, arising from the funds herein-before made available thereto, other than the emoluments of either of the said two Canonries; and it shall be lawful for the Dean and Chapter, in order to enable themselves to establish such three Studentships yearly, to apply to that purpose from time to time, and so long as it may be necessary, in addition to the said sum of One thousand two hundred and sixty pounds, any portion of the income of the estates and funds held under the will of Dr. M. Lee which shall not be required for carrying into effect the provisions of this Ordinance and the other regulations for the time being in force respecting the application of the said income. The present Censors, Readers, Tutors, and Lecturers of the House shall, without election or admission, be Senior Students of the House, and their emoluments in respect of their Studentships shall be increased to the annual sum of Two hundred pounds previous to the establishment of any other Senior Studentships. One Lay Studentship shall, as nearly as may be, be established for every two Clerical Studentships, until the whole number of nine Lay Studentships shall have been completed.

21. Every Junior Student, and every member of the House under the degree of Master of Arts, shall be subject to such general regulations as to residence, discipline, and attendance on Divine Worship, as the Dean, Canons, the two Censors, and the four Senior Tutors of the House shall from

time to time determine; and any Junior Student may be deprived of his Studentship by the same persons, or the greater part of them, for any misconduct which in their judgment shall merit deprivation, subject to such appeal to the Visitor as is herein-after provided. Every Junior Student who shall marry, be elected to a Senior Studentship, or to a place on the foundation of any other Collegiate Body within the University, shall thereby vacate his Studentship.

22. Whenever there shall be no duly qualified candidate for a vacant Senior or open Junior Studentship whom the electors or the Patron, as the case may be, shall judge of sufficient merit for election, and whenever a Senior or open Junior Studentship shall fall vacant, and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to some other day, to be fixed by the electors or the Patron for the purpose, not later than the next ensuing stated day of election, in the case of a Senior Studentship, to Senior Studentships, and in the case of an open Junior Studentship, to open Junior Studentships; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement. In the case of any open Junior Studentship, the election to which shall have been postponed under the provisions of this Ordinance, the term of five years shall be computed from the day on which the election would have been held if there had been no postponement.

23. Bye-laws binding on the Senior Students (not being repugnant to any of the Statutes of the House in force for the time being) may be made by the Dean, Canons, and Senior Students; and such Bye-laws may be enforced by pecuniary penalties.

24. Every question which may arise at any meeting of the Dean, Canons, Censors, and four Senior Tutors, or of the Dean, Canons, and Senior Students of the House, held under this Ordinance, or for the doing of anything hereby authorized or permitted to be done, shall be decided by a majority of the votes of those present; whenever the votes shall be equal, the Dean, or in his absence the Sub-Dean, or in the absence of

both the Senior Canon present, shall have a casting vote in addition to his own.

25. It shall be lawful for the Dean and Chapter, if they shall think fit, to reduce the number of Chaplaincies to any number not less than four, by not filling up vacancies; the emoluments of the Chaplaincies which shall not be filled up being equally distributed among the remaining Chaplains. The provisions of this Ordinance shall be without prejudice to the Dean's power of appointing and removing Chaplains, and of making rules for their residence within the House.

26. It shall be lawful for the Dean and Chapter to alter, in such manner as they shall think fit, the designation of the Servitors, and to apply the Exhibitions of the foundation of Archbishop Boulter for Servitors, Mr. Pauncefort, Dr. Gardiner, Bishop Frampton, Dr. Cotton, and Mrs. Paul, to the support of the persons bearing such altered designation.

27. If in any case it shall appear to the Lord Chancellor that by reason of any change in the value of money any specific sum fixed by this Ordinance has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the House, it shall be lawful for the Lord Chancellor from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

28. The Dean and Chapter, or the Dean, Canons, Censors, and four Senior Tutors, as the case may be, shall, as often as they may be required to do so, answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

29. It shall be lawful for the Dean, or for any Canon, Senior Student, or Chaplain, if he shall conceive himself aggrieved by any act, decision, or sentence of the Dean, or of the Dean and Chapter, or of the Dean, Canons, Censors, and four Senior Tutors, or of the Dean, Canons, and Senior

Students, as the case may be, and for any Junior Student or Exhibitioner who may have been deprived of his Studentship or Exhibition, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow or annul such act or decision, and to reverse or vary such sentence, as he shall deem just.

30. It shall be lawful for the Lord Chancellor, on the complaint of the Dean or of any one of the Canons or Senior Students, to disallow and annul any Bye-law which shall, in his judgment, be repugnant to any of the Statutes of the House in force for the time being.

31. In the construction of this Ordinance, the words "Lord Chancellor" shall mean the Lord High Chancellor of Great Britain, and shall include the Lord Keeper and Lords Commissioners for the custody of the Great Seal of Great Britain for the time being; and the word "Tutor" shall mean a Tutor who is a Senior Student of the House.

32. This Ordinance shall not be construed to diminish or affect the interest of any member of the House elected before the approval thereof by Her Majesty in Council; but, subject to the provisions of clauses 20 and 25, no existing member of the House shall be entitled by virtue of anything herein contained to receive larger emoluments than he would have been entitled to receive if this Ordinance had not been made. This Ordinance shall be construed to speak and take effect as if framed immediately before the said approval.

Given under our Common Seal this Ninth day of January one thousand eight hundred and fifty-eight.

L. S.

Ordinance concerning the Exhibitions of Dame Elizabeth Holford's Foundation, framed by the Commissioners.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act "to make further Provision for the good Government and "Extension of the University of Oxford, of the Colleges "therein, and of the College of Saint Mary Winchester," hereby ordain as follows in relation to the five Exhibitions of Dame Elizabeth Holford's foundation within the Cathedral or House of Christ Church in the said University.

The said five Exhibitions shall be consolidated, as vacancies occur therein, into two Exhibitions, the holders of which shall receive yearly one half of the total amount of the emoluments which would have been payable to the holders of the said five Exhibitions. The consolidated Exhibitions shall respectively be tenable for five years from the day of election inclusive, and no longer. The Exhibitioners shall be elected, after a competitive examination of the candidates, from among persons educated at the Charterhouse School for two years at least last preceding the day of election, or last preceding their matriculation in the University. No person shall be entitled to preference by reason of his being an Exhibitioner or Pensioner of Sutton's Hospital. No person shall be admissible as a candidate who shall have completed the fourth Term inclusive from the date of his matriculation. The Dean of Christ Church shall give thirty days' notice at least of every intended election to the Head Master of the Charterhouse School, and shall also give public notice thereof for the same period. Whenever there shall be no candidate whom the electors shall judge of sufficient merit for election, the Exhibition shall be thrown open for that turn to general competition, and the election shall be postponed to a day to be appointed by the electors, not later than the next ensuing stated day of election to open Junior Studentships. It shall be lawful for the Dean and Chapter of Christ Church, with the consent of the Governors

of the Charterhouse, to increase the number of the Exhibitions, if there shall be sufficient funds for the purpose, but so that the emoluments of each Exhibition shall not fall short of Sixty pounds *per annum*.

Given under our Common Seal this Sixteenth day of April 1858.

L. S.

ORDINANCE

CONCERNING

TRINITY COLLEGE.

ORDINANCE

CONCERNING

TRINITY COLLEGE.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Trinity College in the said University.

1. In elections to the office of President of the said College, no person shall be entitled to preference by reason of his place of birth, or of his being or having been a Fellow of the College. The electors shall choose the person, (being otherwise duly qualified according to the Statutes of the College in force for the time being,) who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education.

2. The President shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided that in case of the President's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with

the President's residence for such a period as may seem to the Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the President.

3. The President and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Presidentship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the President's emoluments, whether commuted or uncommuted, as they shall think proper: Provided that no exercise of this power shall affect the person then being President without his consent; Provided also that the Visitor, upon the petition of the President or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

4. If at any time it shall appear that the President has become permanently incapable of performing the duties of his office, the Vice-President shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the President (as the case may be), it shall appear to the satisfaction of the Visitor that the President has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Vice-President, shall be presented to him, to be Pro-President of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one third) of the President's emoluments as the Visitor shall think fit; provided that the President shall be at liberty to retain his lodgings. And such Pro-President shall, so long

as the President shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of President, except the power of consenting to any commutation, regulation, or diminution of the President's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes and in the same manner. If any Pro-President shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-President in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the President's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments. These provisions shall take effect in lieu of the provisions of the existing Statutes relating to the President's incapacity.

5. In elections to Fellowships within the College, no person shall be either entitled to preference or ineligible by reason of his place of birth or place of education, or of the place of residence of his parents, or of his pecuniary circumstances, or of his having or not having taken any degree, or of his being or not being a Scholar of the College; and no person shall be ineligible by reason of his not being instructed in plain song, or of his having any canonical impediment disqualifying him for Holy Orders, or by reason of any Statute limiting the number of Fellowships tenable at any one time by natives of the same county: Provided that no person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office which, if acquired after election, would have disqualified him for continuing a Fellow.

6. Thirty days at least before the day of election to a Fellowship notice of every intended election, of the number of vacancies to be filled up, and of the conditions of election, shall be given by the President in such manner as he shall deem best adapted to secure publicity.

7. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects

connected with the studies of the University as the President and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the President and Fellows shall elect that candidate, (being otherwise duly qualified according to the Statutes in force for the time being,) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

8. Every Fellow of the College shall be entitled to be present, and to vote at any meeting held for the admission of any person, after the year of probation, to a Fellowship.

9. Every person elected to a Fellowship shall be entitled to receive, during the year of probation, the same emoluments as if he had been admitted an actual Fellow.

10. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any government pension, or be admitted to any office tenable for life or during good behaviour, (not being an academical office within the University of Oxford,) and who shall retain such benefice, property, pension, or office, for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls,) clear of deductions (except for property or income tax,) shall exceed Three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources, (including or not including a benefice with cure of souls,) clear of deductions as aforesaid, shall exceed Four hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months; and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such

property. The word "property" shall in this clause include any estate or interest in possession in any property real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property, or any of such sources of income, shall have been acquired, shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

11. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and although they may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

(*a.*) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the President and all the Fellows shall have been given, the President's vote being counted as two votes.

(*b.*) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma, or by decree of Convocation, or any honorary degree; provided that two thirds of the votes of the President and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid, the President's vote being counted as two votes.

12. The election in such excepted cases shall always be held more than thirty days before the usual day of election; and the electors may, at the time of election, determine the rank which the person elected shall hold in the

College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges; Provided also that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

13. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office, which would in ordinary cases disqualify him for continuing a Fellow, may nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the President and all the Fellows, or, if he shall be Principal of any Hall (not being a private Hall), by two thirds of the votes of the President and all the Fellows, the President's vote being in each case counted as two votes; provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

14. Any Fellow elected under clause 11, or retained under clause 13, shall (except in the case herein-after mentioned) be deemed entitled thereafter to hold his Fellowship, although he may afterwards marry or become possessed of any property, pension, or office, or of any benefice (not being a benefice in the gift of the College, the possession of which would, in ordinary cases, be incompatible with the retention of a Fellowship).

15. Any person elected under clause 11, or retained under clause 13, and being a Professor or Public Lecturer within the University, who, at the time of his election or retention, shall hold a benefice with cure of souls, and who shall continue to hold such benefice for six calendar months afterwards, shall thereby vacate his Fellowship; and no person elected or retained under either of the said clauses shall, by virtue thereof, be enabled to hold with his Fellowship any benefice in the gift of the College, the possession of which would, in ordinary cases, be incompatible with the retention of a Fellowship. Every Professor, Public Lecturer, or Principal of a Hall, elected or retained under either of the said clauses, who shall cease to hold such Professorship, Public Lecturership, or Principalship, and every Professor or Public Lecturer elected or retained as aforesaid, who shall be instituted to

any benefice with cure of souls, shall thereby vacate his Fellowship.

16. Not more than one Fellowship shall at any one time be held by Professors or Public Lecturers under the powers conferred by clauses 11 and 13 of this Ordinance, if and so long as the whole number of Fellowships within the College shall not exceed twelve.

17. It shall be lawful for the President and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the President and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the President and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

18. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University shall thereupon vacate his Fellowship.

19. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University, contained in the existing Statutes, shall be henceforth void. The President and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which, and the conditions under which, leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and, in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the mean-

time, and until such regulations can be made, the President and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes, which shall be binding on the members of the College.

20. No present or future Fellow shall by reason of anything contained in the existing Statutes be bound, as a condition of retaining his Fellowship, to enter into Holy Orders, or, not being in Holy Orders, to study or graduate in Theology. But if, at the time of holding an election to a Fellowship, there shall not be seven Fellows in Holy Orders, no person shall be eligible to such vacant Fellowship who shall not then be a Priest or Deacon of the United Church of England and Ireland, or have declared that he intends to take Holy Orders in the said Church. Every person who shall be elected after making such declaration shall be required to take Deacon's Orders at the least within two years from the day of his election, or, if he shall not then be of sufficient age, within one year after the time at which he shall be of sufficient age, and in default thereof shall vacate his Fellowship: Provided that it shall be lawful for the President and Fellows in the case of sickness, or for any other very urgent cause, to grant a delay for a period not exceeding six months.

21. The number of Fellowships within the College shall never be less than twelve, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the President and not less than three fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the President and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

22. The President and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the pre-

ceding ten years, or for the period which may have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require, for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than Three hundred pounds a year, (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances,) to direct either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the President and Fellows, with the approbation of the Visitor, shall determine.

23. In elections to Scholarships within the College, no person shall be either entitled to preference or ineligible by reason of his place of birth or education, or of the place of residence or condition of his parents, and no person shall be ineligible by reason of his not being instructed in plain song; and any provision in the existing Statutes, binding the electors to have more regard to the pecuniary circumstances of candidates than to their moral or intellectual qualifications, shall be void.

24. The Scholars shall be elected after an examination of the candidates in such subjects, and conducted in such manner, as the President and Fellows shall determine, and that candidate, being otherwise duly qualified according to the Statutes in force for the time being, shall be elected, who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

25. The election of Scholars shall take place on a stated day or stated days in each year to be appointed by the President and Fellows (subject to the provision for postponement herein-after contained); and notice of such intended election, and of the number of vacancies to be filled up, shall be given

by the President, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

26. Each Scholar shall receive not less than Sixty pounds *per annum* (inclusive of all allowances) out of the corporate revenues of the College, and shall be entitled to rooms within the College rent free.

27. The Scholarships shall be tenable for twenty Terms from the date of election (inclusive of the Term in which the election shall have taken place), and no longer; and no Scholar shall vacate his Scholarship by reason of his having attained the age of twenty-four years.

28. The President and Fellows shall not be required to elect to more than three Scholarships in any one year.

29. It shall be lawful for the President and Fellows to add to, diminish, or otherwise alter from time to time, as they shall deem expedient, the Board appointed for the election of Scholars; provided that the President shall always remain a member of the Board.

30. In elections to the Exhibitions of the foundation of Thomas Unton, Clerk, and Frederick Tylney, Esquire, no person shall be either entitled to preference or ineligible by reason of his place of birth, or of his being of the kindred of Thomas Unton.

31. The Exhibition of the foundation of Frederick Tylney, Esquire, shall be tenable for five years and no longer.

32. The President and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

33. The power of depriving the President for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him after due inquiry upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the President and Fellows,

and shall be exercised by the vote of the major part of the President and all the Fellows, subject only to such appeal to the Visitor as is herein-after provided; and the power of depriving Scholars for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the persons in whom the election of Scholars is or shall be vested, and shall be exercised by the vote of the major part of such persons, subject only to such appeal to the Visitor as is herein-after provided: Provided that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

34. The President and Fellows may deprive any Exhibitioner of his Exhibition for any misconduct which in their judgment shall merit deprivation.

35. Whenever there shall be no duly qualified candidate for a vacant Fellowship or Scholarship whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant, and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to some other day, to be fixed by the President and Fellows for the purpose, not later than the next ensuing stated day of election in the case of a Fellowship of Fellows, and in the case of a Scholarship of Scholars: and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

36. The President and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the President and Fellows shall think proper: Provided that it shall be lawful for the Visitor, upon the petition of the President, or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such

regulation or assignment, if he shall think fit: Provided also that the Presidentship shall not be deemed an office within the meaning of this clause.

37. The President and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the President and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

38. In case the President or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland as by law established, such contumacious ceasing to conform shall be a cause for depriving the President of his Presidentship, and any such Fellow of his Fellowship.

39. The oaths prescribed by the existing Statutes shall not hereafter be taken. But every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall, at the time of his election or admission, take an oath or make a declaration, as the President and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office, and obey the Statutes and Bye-laws of the College in force for the time being, so far as they may concern him; and the electors to any place or office, before electing to which an oath is now required, (not being an annual office,) shall, before electing, take an oath or make a declaration, as the President and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

40. There shall be two stated general meetings at least, of

the President and Fellows in every year, on such days as the President and Fellows shall appoint. Any stated general meeting may be adjourned, by resolution of the meeting, to a day to be specified in the resolution. The consent or concurrence of the President shall not (except in any case in which it is hereby made requisite) be required to make valid any act or resolution of the College, or any election or admission of Fellows, Scholars, or College officers. The vote of the President shall be counted as two votes at all College meetings, in the election, admission, and deprivation of Fellows, and in the election and deprivation of Scholars, and deprivation of Exhibitioners, and whenever the votes shall be equal, he shall have an additional casting vote. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the President and Fellows, or the consent of the President is hereby made requisite, every question arising at any meeting shall be determined by a majority of the votes of those present. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided that the President and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

41. The power which is given by the existing Statutes to the Vice-President to act in place of the President, and the power of any officer of the College who may hereafter be authorized by any Statute or Bye-law to act in place of the President, shall be deemed to extend to all the acts which the President is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the President's emoluments.

42. The particular provisions of the existing Statutes respecting the hours and subjects of study and instruction within the College, the disputations and other exercises to

be performed by its members, and their attendance in the Schools and at the exercises of the University; and respecting sermons to be preached by members of the College; and respecting the devotions, dress, conversation, recreations, and other personal habits of the members of the College, and the conditions of their going beyond the precincts thereof; and respecting the meals of the members of the College, and the mode of serving and conducting the same; and respecting the inquiries to be made into the life and conduct of the members of the College, and the mode of making the same; and respecting the distribution of rooms; and respecting the use of the library; and respecting the times of opening and closing the gates and doors of the College; and respecting the admission of strangers into the precincts of the College; and respecting the admission of Commoners and Batellers; and respecting the reading of the Statutes; and respecting the service of the College, and the number, duties, and payment of the servants of the same; and respecting progresses and other matters relative to the supervision of the property of the College; and respecting the custody and inspection of the moneys, plate, and other goods of the College, other than the muniments and seals, shall be void. The President and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions, or any of them, are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby as is herein-after provided.

43. Any provision of the existing Statutes whereby any member of the College charged with an offence may be prohibited or restrained from calling for a copy of the charges made against him, or for the name or names of the person or persons making such charges, shall be void.

44. If in any case it shall appear to the Visitor that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the

general interests of the College, it shall be lawful for the Visitor, from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

45. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit, at other times, to require the President and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

46. As often as any question shall arise on which the President and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the President and Fellows, or for the President or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

47. It shall be lawful for the President or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the President and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence, as he shall deem just.

48. It shall be lawful for the Visitor, either *proprio motu*,

or on the complaint of the President or any of the Fellows, to disallow and annul any Bye-law or resolution of the President and Fellows, which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

49. The President and Fellows, by a majority consisting of not less than two thirds of the votes of those present, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College, with the consent of the Visitor.

50. Wherever the words "the Fellows," or "the President and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows; and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

51. This Ordinance shall be without prejudice to any existing interest, (being such an interest as is intended to be saved by the said Act,) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal this 28th day of March 1857.

L. S.

ORDINANCE

CONCERNING

JESUS COLLEGE.

ORDINANCE

CONCERNING

JESUS COLLEGE.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to "make further Provision for the good Government and Ex- "tension of the University of Oxford, of the Colleges therein, "and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Jesus College, in the said University:—

1. In elections to the office of Principal of the said College, no person shall be entitled to preference or ineligible by reason of his being or not being, or having been or not having been, a Fellow of the College, or be ineligible by reason of his being married. The electors shall choose the person, (being otherwise duly qualified according to the Statutes of the College in force for the time being,) who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education.

2. The Principal shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided that

in case of the Principal's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the Principal's residence for such a period as may seem to the Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing statutes relating to the residence of the Principal.

3. The Principal and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Principalship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Principal's emoluments, whether commuted or uncommuted, as they shall think proper: Provided that no exercise of this power shall affect the person then being Principal without his consent: Provided also that the Visitor, upon the petition of the Principal, or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

4. If at any time it shall appear that the Principal has become permanently incapable of performing the duties of his office, the Vice-Principal shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Principal (as the case may be), it shall appear to the satisfaction of the Visitor that the Principal has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Vice-Principal, shall be presented to him, to be Pro-Principal of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one third) of the Principal's emoluments as the Visitor

shall think fit; provided that the Principal shall be at liberty to retain his lodgings. And such Pro-Principal shall, so long as the Principal shall retain his office, and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Principal, except the power of consenting to any commutation, regulation, or diminution of the Principal's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes, and in the same manner. If any Pro-Principal shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-Principal in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Principal's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

5. The Fellowship of the foundation of King Charles the First, within the said College, shall be converted into Scholarships in manner herein-after mentioned.

6. From and after the first vacancy which shall occur in the said Fellowship, (or if the same shall be vacant when this Ordinance shall be approved by Her Majesty in Council, then from and after such approval,) that proportion of the whole sum payable to the College on account of the said foundation, which by the Letters Patent of King Charles the First, dated the seventeenth day of June, in the eleventh year of his said Majesty's reign, is appropriated to the maintenance of a Fellowship, shall be applied to the maintenance of incorporated Scholars within the said College, to be called King Charles the First's Scholars, between whom the amount of the said emoluments shall be divided in equal shares.

7. The number of the said Scholars shall be such as the Principal and Fellows shall from time to time determine; provided that it be not less than two, nor so great as to reduce each Scholar's share of the said emoluments below Sixty pounds *per annum*. The senior for the time being in residence of the King Charles the First's Scholars shall always be entitled to rooms within the College rent free.

8. The King Charles the First's Scholars shall be elected by the Principal and Fellows from persons born in Jersey or Guernsey, or in one of the islands adjacent to them, or educated for the two years last preceding the election (or, if the person elected shall be then a member of the University, for the two years last preceding his matriculation), either at Victoria College in Jersey, or at Elizabeth College in Guernsey.

9. The first, third, seventh, and ninth Fellowships, (other than the Fellowship of the foundation of King Charles the First, and the two Fellowships of the foundation of Sir Leoline Jenkins,) which shall become vacant after the approval of this Ordinance by Her Majesty in Council, and in relation to which there shall be no Scholar having a right of preference acquired before the passing of the said Act and qualified for election, shall not be filled up, but all the emoluments thereof shall be applied in carrying into effect the following objects as soon as conveniently may be, namely:—

(1.) In increasing the number of the Scholarships of the College, other than the King Charles the First's Scholarships, to twenty-two.

(2.) In equalizing and augmenting the value of all the Scholarships of the College, other than the King Charles the First's Scholarships: Provided that the value of each Scholarship, inclusive of rooms and all allowances, shall not, until the number of Scholarships (other than the King Charles the First's Scholarships) shall have been increased to twenty-two, be raised above Eighty pounds *per annum*.

Any Fellowship or Fellowships which may be vacant at the time of the approval of this Ordinance shall, for the purposes of this Ordinance, be considered as having become vacant immediately after such approval.

10. The emoluments of the Fellowships herein-before directed to be not filled up shall be the sums which would in each year have been payable to the holders of the same if the same Fellowships had been filled up, and if the persons elected had resided in the University during the period required of them by the Statutes and regulations of the College in force for the time being: Provided that it shall be lawful for the

Principal and Fellows, at any time within five years after the time at which each of the said Fellowships would, but for the provisions of this Ordinance, have been filled up, to commute the emoluments thereof for a fixed annual sum of Two hundred and fifty pounds, payable out of the corporate revenues of the College to the purpose to which the emoluments of such Fellowship are herein-before made applicable.

11. The fifth Fellowship, not being the Fellowship of the foundation of King Charles the First, or one of the two Fellowships of the foundation of Sir Leoline Jenkins, which shall become vacant after the approval of this Ordinance by Her Majesty in Council, and in relation to which there shall be no Scholar having a right of preference acquired before the passing of the said Act and qualified for election, shall not be filled up. From and after the time at which the same would, but for this provision, have been filled up, the corporate revenues of the College shall be charged with the payment to the University of an annual sum of Two hundred and fifty pounds, to be applied to such purposes connected with the Professoriate of the University as the University shall by Statute, with the consent of the Principal and Fellows, from time to time determine.

12. It shall be lawful for the Principal and Fellows, if and so long as they shall deem it expedient for the interests of education in connection with the Principality of Wales, from time to time to divide the Fellowships (exclusive of those which are herein-before directed to be not filled up,) as nearly as may be, into two moieties, whereof one moiety shall be termed Welsh Fellowships, and shall be filled up by the election of natives of Wales or Monmouthshire, if any such be found of sufficient merit and fit to be Fellows of the College in the judgment of the electors. In elections to two Welsh Fellowships the Principal and Fellows shall require that the candidates shall be able to speak the Welsh language. In making such division one of the Fellowships of the foundation of Sir Leoline Jenkins shall be placed in each moiety. Subject to these provisions, no person shall be either entitled to preference or ineligible, in elections to Fellowships within the College, by reason of his place of birth or place of education, or of his age or pecuniary circumstances, or of his being

or not being of the name or kindred of any person named in any instrument of foundation, or of his being or not being able to speak the Welsh language, or of his having or not having taken any degree, or being or not being a Scholar or Member of the College: Provided that no person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office, which, if acquired after election, would have disqualified him for continuing a Fellow.

13. The election of Fellows shall take place on a stated day or stated days in each year, to be appointed by the Principal and Fellows (subject to the provisions for postponement herein-after contained); and thirty days at least before the day of election to a Fellowship notice of every intended election, of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Principal in such manner as he shall deem best adapted to secure publicity.

14. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Principal and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the Principal and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

15. Every person elected to a Fellowship shall be entitled to receive, during the period of probation, the same emoluments as if he had been admitted an actual Fellow.

16. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of

Oxford), and who shall retain such benefice, property, pension, or office, for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice, clear of deductions (except for property or income tax), shall exceed Three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any two or more of the above-mentioned sources, (including or not including an ecclesiastical benefice,) clear of deductions as aforesaid, shall exceed Three hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months, (or, in case such benefice shall be a benefice in the gift of the College, at the expiration of eighteen calendar months from the avoidance thereof); and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall in this clause include any estate or interest in possession in any property real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property or any of such sources of income shall have been acquired, shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

17. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and although they may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

(*a*.) Any Professor or Public Lecturer within the Uni-

versity, for whose election a majority of the votes of the Principal and all the Fellows shall have been given, the Principal's vote being counted as two votes.

(*b.*) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma or by decree of Convocation, or any honorary degree; provided that two thirds of the votes of the Principal and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid, the Principal's vote being counted as two votes.

18. The election in such excepted cases shall always be held more than thirty days before the usual day of election, and the electors may at the time of election determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges: Provided also that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

19. Any Fellow who shall marry, or who shall become possessed of any benefice, property, pension, or office, which would in ordinary cases disqualify him for continuing a Fellow, may nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Principal and all the Fellows, or, if he shall be Principal of any Hall (not being a private Hall), by two thirds of the votes of the Principal and all the Fellows; the Principal's vote being in each case counted as two votes; provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

20. Any Fellow elected under clause 17, or retained under clause 19, shall, (except in the case herein-after mentioned,) be deemed entitled thereafter to hold his Fellowship although he may afterwards marry or become possessed of any property, pension, or office, or of any benefice (not being a benefice in the gift of the College,) the possession of which

would in ordinary cases be incompatible with the retention of a Fellowship.

21. Any person elected under clause 17, or retained under clause 19, and being a Professor or Public Lecturer within the University, who at the time of his election or retention shall hold a benefice with cure of souls, and who shall continue to hold such benefice for six calendar months afterwards, shall thereby vacate his Fellowship; and no person elected or retained under either of the said clauses shall by virtue thereof be enabled to hold with his Fellowship any benefice in the gift of the College the possession of which would, in ordinary cases, be incompatible with the retention of a Fellowship. Every Professor, Public Lecturer, or Principal of a Hall, elected or retained under either of the said clauses, who shall cease to hold such Professorship, Public Lecturership, or Principalship, and every Professor or Public Lecturer, elected or retained as aforesaid, who shall be instituted to any benefice with cure of souls, shall thereby vacate his Fellowship.

22. Not more than one Fellowship shall at any one time be held by Professors or Public Lecturers under the powers conferred by clauses 17 and 19 of this Ordinance, if and so long as the whole number of Fellowships within the College, exclusive of Fellowships herein-before directed to be not filled up, shall not exceed twelve.

23. It shall be lawful for the Principal and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Principal and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Principal and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

24. Every Fellow who shall be elected to and accept a

Headship or Fellowship in any other College within the University shall thereupon vacate his Fellowship.

25. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University, contained in the existing Statutes, shall be henceforth void. The Principal and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and, in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Principal and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the members of the College.

26. It shall always hereafter be lawful for four Fellows of the College, not being Fellows of the foundation of Sir Leoline Jenkins, to retain their Fellowships without taking Holy Orders. As often as the number of Lay Fellows, being Masters of Arts or of sufficient standing to take that degree, shall be reduced below four, the option of holding a Lay Fellowship shall devolve on the Fellows who shall not have attained that standing successively, according to seniority from the date of election, so that the number of Fellows retaining or entitled to retain their Fellowships as Laymen may be made up to four from time to time. Subject to these provisions, every Fellow shall be required to take Deacon's Orders before the expiration of one year after he shall be of sufficient standing to take the degree of Master of Arts, (or, in case he shall have attained such standing at the time of his election, within one year after his election), and to take Priest's Orders within two years after having taken Deacon's Orders, and in default thereof shall vacate his Fellowship: Provided that nothing herein contained shall affect the obliga-

tion of the Fellows of the foundation of Sir Leoline Jenkins to take Priest's Orders before being admitted actual Fellows.

27. The number of Fellowships within the College, exclusive of those herein-before directed not to be filled up, shall never be less than thirteen, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the Principal and not less than three fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Principal and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

28 The Principal and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than Three hundred pounds a year, (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances,) to direct, either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Principal and Fellows, with the approbation of the Visitor, shall determine.

29. All the Scholarships now existing in the College, other than the Scholarships of the foundation of Sir John

Walter and Bishop Westphaling, and of the foundation of Mr. Richard Budd, and all the Scholarships to be established within the College under the provisions of this Ordinance, other than the King Charles the First's Scholarships, shall be termed Welsh Scholarships, and shall be filled up by the election of persons being natives of Wales or Monmouthshire, or who shall have been educated for the four years last preceding the election, (or last preceding their matriculation, if already members of the University,) at one of the Free Grammar Schools of Abergavenny, Bangor, Beaumaris, and Bottwnnog, or the Free School of Cowbridge, or such other schools or school in Wales or Monmouthshire, as the Principal and Fellows may from time to time, by resolution at any stated general meeting, admit to this privilege, if any such persons be found of sufficient merit and fit to be Scholars of the College in the judgment of the electors. Subject to this provision, no person shall be either entitled to preference or ineligible in elections to Scholarships within the College, other than the King Charles the First's Scholarships, by reason of his place of birth or place of education; and no person shall be entitled to preference or ineligible in elections to any Scholarship within the College by reason of his being or not being of the kindred of any person named in any instrument of foundation, or shall be ineligible by reason of his having more than Ten pounds a year.

30. The Scholars shall be elected by the Principal and Fellows after an examination of the candidates in such subjects, and conducted in such manner, as the Principal and Fellows shall determine; and that candidate, being otherwise duly qualified according to the Statutes in force for the time being, shall be elected who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

31. The election of Scholars shall take place on a stated day or stated days in each year, to be appointed by the Principal and Fellows (subject to the provisions for postponement herein-after contained); and notice of every intended election shall be given by the Principal, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

32. The elections to the King Charles the First's Scholarships shall, as to the years in which the same shall be held, be so regulated with reference to the elections to the King Charles the First's Scholarships at Exeter and Pembroke Colleges, and to the elections to Bishop Morley's Scholarship at Pembroke College, that an election to one Scholarship at least on one or other of those four foundations may, as far as possible, be held every year. The Principal and Fellows may for this purpose make such arrangements as they shall think proper with the governing bodies of Exeter College and Pembroke College, and may suspend the elections to the said King Charles the First's Scholarships within Jesus College so often and for so long as may be necessary or convenient for the same purpose, and may retain the emoluments of any suspended Scholarship during the period of suspension, and employ the same in augmenting the value or number of the said Scholarships, in such manner as they shall think fit.

33. The King Charles the First's Scholarships shall be tenable for such periods, being not less than five nor more than seven years, as the Principal and Fellows, having regard as far as may be to the arrangements made by Exeter College and Pembroke College, shall from time to time determine. Every Scholarship within the College, other than the King Charles the First's Scholarships, shall be tenable until the holder thereof shall have completed the twentieth Term inclusive from the date of his matriculation, and no longer.

34. The Scholarships to be established within the College under the provisions of this Ordinance (other than the King Charles the First's Scholarships) shall, as regards the conditions of eligibility thereto, and in all other respects, stand upon the same footing and be subject to the same Statutes and regulations as the Scholarships now existing within the College shall be upon and subject to; the King Charles the First's Scholarships shall be subject to the same Statutes and regulations, so far as the same shall not be inconsistent with the specific provisions of this Ordinance relating to those Scholarships.

35. The Principal and Fellows may deprive any Scholar of his Scholarship for any misconduct which in their judgment

shall merit deprivation, subject to such right of appeal to the Visitor as is herein-after provided.

36. The emoluments of the twenty-four Exhibitions of the foundation of Edmund Meyrick, Clerk, of the three Exhibitions of the foundation of Mr. Bloom, and of the two Exhibitions of the foundation of Mr. Rice Powell, shall be consolidated, as the same respectively become vacant, and applied in maintaining as many Exhibitions of the value of Forty pounds *per annum* respectively as the amount of the said consolidated emoluments for the time being will allow. The said Exhibitions shall respectively be filled up by the election of deserving persons, being natives of Wales or Monmouthshire, whom the Principal and Fellows shall have ascertained to be in need of support at the University; provided that no person shall be elected whose merit and fitness to be an Exhibitioner shall not have been previously tested by an examination. No person shall be entitled to preference or ineligible in elections to any of the said Exhibitions by reason of his place of birth, otherwise than by reason of his being a native of Wales or Monmouthshire, as aforesaid. No person shall be eligible to any of the said Exhibitions who shall be a Scholar of the College, and every Exhibitioner who shall be elected to a Scholarship within the College shall thereupon vacate his Exhibition. Each of the said Exhibitions shall be tenable until the holder thereof shall have completed the twentieth Term inclusive from the date of his matriculation, and no longer.

37. Notice of every intended election to any of the said Exhibitions shall be given by the Principal, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

38. The Exhibitioners to be maintained out of the said consolidated emoluments shall be subject to such regulations respecting their residence, attendance on Divine Worship, instruction, and discipline, as the Principal and Fellows shall from time to time determine; and shall be subject to deprivation by the Principal and Fellows for such misconduct as in the judgment of the Principal and Fellows shall merit deprivation.

39. The Principal and Fellows shall not, by reason of any

clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

40. The power of depriving the Principal for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him, after due inquiry, upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Principal and Fellows, and shall be exercised by the vote of the major part of the Principal and all the Fellows, subject only to such appeal to the Visitor as is herein-after provided: Provided that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

41. Whenever a Welsh Fellowship shall be vacant, and no candidate shall offer himself for such Fellowship duly qualified in respect of his place of birth and otherwise, whom the electors shall judge of sufficient merit for election, such Fellowship shall be thrown open for that turn, and the election shall be postponed to some other day, to be fixed by the Principal and Fellows for the purpose, not later than the next ensuing stated day of election to Fellowships.

42. Whenever a King Charles the First's Scholarship or a Welsh Scholarship shall be vacant, and no candidate shall offer himself for such Scholarship duly qualified in respect of his place of birth or education, whom the electors shall judge of sufficient merit for election, such Scholarship shall be thrown open for that turn, and the election shall be postponed to some other day, to be fixed by the Principal and Fellows for the purpose, not later than the next ensuing stated day of election to Scholarships.

43. Whenever there shall be no duly qualified candidate for a vacant Fellowship other than a Welsh Fellowship, or for any Scholarship other than a King Charles the First's Scholarship or a Welsh Scholarship, or for any Fellowship or Scholarship which shall have been thrown open as aforesaid,

whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant, and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to some other day, to be fixed by the Principal and Fellows for the purpose, not later than the next ensuing stated day of election, in the case of a Fellowship of Fellows, and in the case of a Scholarship of Scholars; and every such postponed election shall be held and conducted in the same manner and after the same previous notice as if there had been no postponement.

44. The Principal and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College, and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Principal and Fellows shall think proper: Provided that it shall be lawful for the Visitor, upon the petition of the Principal or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided also that the Principalship shall not be deemed to be an office within the meaning of this clause.

45. The Principal and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and shall be subject to the approval of the Archbishop of Canterbury for the time being, and if disallowed by him shall be void. In the meantime, and until such regulations can be made, the Principal and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes. The provisions of the ex-

isting Statutes relating to Divine Service shall be henceforth void.

46. In case the Principal or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland, as by law established, such contumacious ceasing to conform shall be a cause for depriving the Principal of his Principalship, and any such Fellow of his Fellowship.

47. The oaths prescribed by the existing Statutes shall not hereafter be taken. But every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall, at the time of his election or admission, take an oath or make a declaration, as the Principal and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office, and obey the Statutes and Bye-laws of the College in force for the time being, so far as they may concern him; and the electors to any place or office before election to which an oath is now required, (not being an annual office,) shall, before electing, take an oath or make a declaration, as the Principal and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

48. There shall be two stated general meetings at least of the Principal and Fellows in every year, on such days as the Principal and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Principal shall be counted as two votes at all College meetings, and in the election, admission, and deprivation of Fellows, and the election and deprivation of Scholars. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the Principal and Fellows, or the consent of the Principal, is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present. Whenever the votes shall be equal, the Principal shall have an additional casting vote. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any ques

tion which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided that the Principal and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

49. The power which is given by the existing Statutes to the Vice-Principal to act in place of the Principal, and the power of any officer of the College who may hereafter be authorized by any Statute or Bye-law to act in place of the Principal, shall be deemed to extend to all the acts which the Principal is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Principal's emoluments.

50. The particular provisions of the existing Statutes respecting the subjects and hours of study and instruction within the College, the disputations and other exercises to be performed by its members, and their attendance in the Schools and at the exercises of the University; and respecting the devotions, dress, conversation, recreations, and other personal habits of the members of the College, and the conditions of their going beyond the precincts of the College; and respecting the meals of the members of the College, and the mode of conducting the same; and respecting the punishments for offences not being such as require deprivation; and respecting the use of the common hall; and respecting the times of opening and closing the gates and doors of the College; and respecting the admission of strangers into the precincts of the College; and respecting the reading of the Statutes; and respecting the service of the College, and the number, duties, and payment of the servants of the same, shall be henceforth void. The Principal and Fellows shall from time to time make such regulations as they may deem necessary or desirable for promoting the main objects which the aforesaid particular provisions, or any of them, are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the

Visitor on the part of any person who may deem himself aggrieved thereby, as is herein-after provided.

51. If in any case it shall appear to the Visitor that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished, as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

52. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so,) without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit, at other times, to require the Principal and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

53. As often as any question shall arise on which the Principal and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the Principal and Fellows, or for the Principal or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

54. It shall be lawful for the Principal, or for any Fellow,

if he shall conceive himself aggrieved by any act or decision of the Principal and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence, as he shall deem just.

55. It shall be lawful for the Visitor, either *proprio motu*, or on the complaint of the Principal or any of the Fellows, to disallow and annul any Bye-law or resolution of the Principal and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

56. The injunctions of the existing Statutes respecting preferences to be given by members of the College in elections to University offices shall be henceforth void.

57. The Principal and Fellows, by a majority consisting of not less than two thirds of the votes of those present, the vote of the Principal being counted as two votes, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor.

58. Whenever the words "the Fellows," or "the Principal and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows; and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

59. This Ordinance shall be without prejudice to any existing interest, (being such an interest as is intended to be saved by the said Act,) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal this Third day of April 1857.

L. S.

ORDINANCE

CONCERNING

WADHAM COLLEGE.

ORDINANCE

CONCERNING

WADHAM COLLEGE.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to "make further Provision for the good Government and Ex- "tension of the University of Oxford, of the Colleges therein, "and of the College of St. Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Wadham College in the said University:—

1. No person shall be incapable of being elected Warden of the said College by reason of his not having been born in Great Britain, or otherwise on account of his place of birth, or by reason of his not being or not having been a Fellow of the College. The electors shall choose the person, (being otherwise duly qualified according to the Statutes of the College in force for the time being,) who, in their judgment, shall be most fit for the government of the College as a place of religion, learning, and education. The election of a Warden may, on every vacancy, be held at any time not less than fifteen nor more than thirty days after the vacancy shall have become known.

2. The Warden and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the War-

denship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Warden's emoluments, whether commuted or uncommuted, as they shall think proper: Provided that no exercise of this power shall affect the person then being Warden without his consent: Provided also that the Visitor, upon the petition of the Warden or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

3. If at any time it shall appear that the Warden has become permanently incapable of performing the duties of his office, the Sub-Warden shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying him to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Warden (as the case may be), it shall appear to the satisfaction of the Visitor that the Warden has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Sub-Warden, shall be presented to him, to be Pro-Warden of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one third) of the Warden's emoluments as the Visitor shall think fit; provided that the Warden shall be at liberty to retain his lodgings. And such Pro-Warden shall, so long as the Warden shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Warden, except the power of consenting to any commutation, regulation, or diminution of the War-

den's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes, and in the same manner. If any Pro-Warden shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-Warden in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Warden's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

4. In elections to Fellowships within the College no person shall be either entitled to preference or ineligible on account of his being or not being of the kindred of Nicholas Wadham, or of his being or not being a Scholar of the College, or of his having or not having completed his twentieth year, or of his being or not being a Master or Bachelor of Arts, or on account of his pecuniary circumstances; provided that no person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office, which, if acquired after election, would have disqualified him for continuing a Fellow.

5. The election of Fellows shall take place on a stated day in each year, to be appointed by the Warden and Fellows (subject to the provision for postponement herein-after contained); and notice of every intended election, and of the number of vacancies to be filled up, shall be given by the Warden in such manner as he shall deem best adapted to secure publicity, thirty days at least before the day of election.

6. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Warden and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the Warden and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit,

and most fit to be a Fellow of the College as a place of religion, learning, and education.

7. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls), clear of deductions (except for property or income tax), shall exceed Three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources (including or not including a benefice with cure of souls), clear of deductions as aforesaid, shall exceed Four hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months; and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall in this clause include any estate or interest in possession in any property real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property, or any of such sources of income, shall have been acquired, shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

8. In certain excepted cases persons may hold Fellowships within the College although married, and although possessed of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and may be

elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes, and without having passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

(*a.*) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the Warden and all the Fellows shall have been given; the Warden's vote being counted as two votes.

(*b.*) Any person of eminence in literature, science, or art, on whom the University shall have conferred a degree, either by diploma or by decree of Convocation, provided that two thirds of the votes of the Warden and all the Fellows shall have been given for the election of such person as last aforesaid; the Warden's vote being counted as two votes.

Provided that any person elected under this clause and being a Professor or Public Lecturer within the University, who at the time of his election shall hold a benefice with cure of souls, and who shall continue to hold such benefice for six calendar months afterwards, shall thereby vacate his Fellowship; and that no person elected under this clause shall by virtue thereof be enabled to hold, with his Fellowship, any benefice in the gift of the College, the possession of which would in ordinary cases be incompatible with the retention of a Fellowship.

9. The election in such excepted cases shall always be held more than thirty days before the usual stated day of election, and the electors may, at the time of election, determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges; provided also that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

10. Not more than one Fellowship shall at any one time be held by persons elected under clause 8 of this Ordinance.

11. Every Professor or Public Lecturer, elected to a Fellowship under clause 8, who shall cease to hold such Professor-

ship or Public Lecturership, or shall be instituted to any benefice with cure of souls, shall thereby vacate his Fellowship.

12. It shall be lawful for the Warden and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever; but shall be entitled to enjoy such other privileges and advantages as the Warden and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Warden and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

13. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University shall thereupon vacate his Fellowship.

14. No present or future Fellow shall vacate his Fellowship by reason of his having held the same during any period of time mentioned in the existing Statutes.

15. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University, contained in the existing Statutes, shall be henceforth void. The Warden and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which, and the conditions under which, leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interests of the College as a place of learning and education; and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and, in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Warden and Fellows may, at any

ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the members of the College.

16. The first Fellowship which shall become vacant, in relation to which there shall be no Scholar having a right of preference acquired before the passing of the said Act and qualified for election, shall not be filled up, and the emoluments thereof shall in every year be paid to the Reader in Experimental Philosophy for the time being, provided he shall, during that year, reside within the University for eight weeks in each Term (Easter and Trinity Terms being for this purpose considered as one Term). Any Reader to whom leave of absence shall have been granted on account of sickness, or for any other very urgent cause, by or by authority of the University, shall be entitled to payment as if he had kept the full period of residence herein-before required. It shall be lawful for the Warden and Fellows, at any time within five years after the time at which the said Fellowship would, but for this clause, have been filled up, to commute the emoluments of the same for a fixed annual sum of Two hundred pounds, payable out of the corporate revenues of the College. The Warden and Fellows may, if they shall think proper, elect the said Reader to be a Fellow of the College without notice, examination, or probation, and although married, and although he may be possessed of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and although he may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided he be otherwise qualified for election, and be not a Fellow of any other College in the University; but any Reader so elected a Fellow shall not be entitled in right of his Fellowship to any emoluments besides those herein-before made payable to him, nor, if married, to rooms within the College or any allowance in respect of rooms, and, if he shall cease to hold the Readership, shall vacate his Fellowship. The emoluments of the Fellowship hereby directed to be not filled up shall be the sum which would in each year have been payable to the holder of the same if the same had been filled up, and if the person elected had resided in the University during the period required of him

by the Statutes and regulations of the College in force for the time being. This clause shall continue in force so long only as the appointment or election of the said Reader shall be vested either in the Vice-Chancellor of the University for the time being, or in a Board of Electors, not exceeding five in number, and including the Warden.

17. The number of Fellowships within the College shall never be less than fourteen, exclusive of any Fellowship held by the Reader in Experimental Philosophy under the power conferred by clause 16, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the Warden and not less than three fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Warden and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

18. The Warden and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than Three hundred pounds a year, (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances,) to direct either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which

shall be so set apart shall be applied to such College purposes as the Warden and Fellows, with the approbation of the Visitor, shall determine.

19. In election to Scholarships within the College, no person shall be either entitled to preference or ineligible on account of his place of birth, or of his being or not being of the kindred of Nicholas Wadham; and no person shall be ineligible on account of his being of illegitimate birth, or of his possessing property or income exceeding eight pounds a year, or of his age, provided that no person shall be eligible who shall have attained the age of twenty years.

20. The Scholars shall be elected after an examination of the candidates in such subjects, and conducted in such manner, as the Warden and Fellows shall determine; and that candidate (being otherwise duly qualified according to the Statutes in force for the time being) shall be elected, who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

21. The election of Scholars shall take place on a stated day in each year, to be appointed by the Warden and Fellows (subject to the provision for postponement herein-after contained); and notice of every intended election shall be given by the Warden, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

22. Each Scholar shall receive not less than Forty-six pounds *per annum* (inclusive of all allowances) out of the corporate revenues of the College, and shall be entitled to rooms within the College rent free.

23. The Scholarships shall be tenable for five years from the day of election inclusive, and no longer; and no Scholar shall be disqualified for retaining his Scholarship by reason of his having become possessed of property or income exceeding eight pounds a year.

24. The Warden and Fellows shall not be required to elect to more than three Scholarships in any one year.

25. It shall be lawful for the Warden and Fellows to add to, diminish, or otherwise alter, from time to time, as they shall deem expedient, the Board appointed for the election of

Scholars, provided that the Warden shall always remain a member of the Board.

26. The Exhibitions of the foundation of Sir Benjamin Maddox, the Exhibitions of the foundation of Mr. Goodrich for three Scholars of the College, and the Exhibition of the foundation of Mr. Gerard, shall, as the same become vacant, not be filled up, but all the emoluments thereof respectively shall, from and after the next vacancy, be divided equally in every year among the Scholars of the College.

27. The Exhibitions of Dr. Hody's foundation shall be tenable for four years from the day of election inclusive, and no longer; and the intellectual qualifications of the candidates shall, before every election, be tested by a competitive examination in such subjects connected with the purposes of that foundation as the electors shall determine.

28. The Warden and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves, or otherwise disposing of, the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

29. The power of depriving the Warden, for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him, after due inquiry, upon the petition of the major part of all the Fellows; and the power of depriving Fellows, for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Warden and Fellows, and shall be exercised by the vote of the major part of the Warden and all the Fellows, subject only to such appeal to the Visitor as is herein-after provided; and the power of depriving Scholars, for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the persons in whom the election of Scholars is or shall be vested, and shall be exercised by the vote of the major part of such persons, subject only to such appeal to the Visitor as is herein-after provided: Provided that this clause shall not affect the Visitor's power (if any)

of depriving by his own authority any member of the College.

30. The Warden and Fellows may deprive any Exhibitioner of his Exhibition for any misconduct which, in their judgment, shall merit deprivation.

31. Whenever there shall be no duly qualified candidate for a vacant Fellowship or Scholarship whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant, and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to some other day, to be fixed by the Warden and Fellows for the purpose, not later than the next ensuing stated day of election, in the case of a Fellowship of Fellows, and in the case of a Scholarship of Scholars; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

32. The Warden and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the modes of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Warden and Fellows shall think proper: Provided that it shall be lawful for the Visitor, upon the petition of the Warden, or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided also that the Wardenship shall not be deemed an office within the meaning of this clause.

33. It shall be lawful for any Fellow of the College to be elected to and hold a Chaplaincy in the College without vacating his Fellowship.

34. The Warden and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term.

and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Warden and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

35. In case the Warden or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland as by law established, such contumacious ceasing to conform shall be a cause for depriving the Warden of his Wardenship, and any such Fellow of his Fellowship.

36. The oaths prescribed by the existing Statutes shall not hereafter be taken. But every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall at the time of his election or admission take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office, and obey the Statutes and Bye-laws of the College in force for the time being, so far as they may concern him; and the electors to any place or office, before electing to which an oath is now required, (not being an annual office,) shall, before electing, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

37. There shall be two stated general meetings at least of the Warden and Fellows in every year, on such days as the Warden and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Warden shall be counted as two votes at all College meetings, in the election, admission, and deprivation of Fellows, and in the election and deprivation of Scholars and deprivation of Exhibitioners. Subject to the foregoing provision, and except in cases in which the concurrence of any specified propor-

tion of the Warden and Fellows, or the consent of the Warden, is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present. Whenever the votes shall be equal, the Warden shall have an additional casting vote. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided that the Warden and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

38. The power which is given by the existing Statutes to the Sub-Warden to act in place of the Warden, and the power of any officer of the College who may hereafter be authorized by any Statute or Bye-law to act in place of the Warden, shall be deemed to extend to all the acts which the Warden is hereby authorized or directed to do, except the giving consent to any regulation, commutation, or diminution of the Warden's emoluments.

39. The particular provisions of the existing Statutes respecting the subjects and hours of study and instruction within the College, the disputations and other exercises to be performed by its members; and respecting the dress, conversation, recreations, and other personal habits of the members of the College, and the hours and conditions of their going beyond the precincts thereof; and respecting the meals of the members of the College, and the mode of serving and conducting the same; and respecting the punishment of offences, not being such as require deprivation; and respecting the distribution of the rooms, and the use of the common hall and other common rooms or buildings of the College; and respecting the use of the library; and respecting the times of opening and closing the gates and doors of the College; and respecting the reading of the Statutes: and respecting

the service of the College, and the number, duties, and payment of the servants of the same; and respecting progresses, and other matters relative to the supervision of the property of the College; and respecting the custody and inspection of the moneys, plate, and other goods of the College, other than the muniments and seals, shall be henceforth void. The Warden and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions or any of them are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby, as is herein-after provided.

40. If in any case it shall appear to the Visitor that by reason of any change in the value of money, any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

41. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so, without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of the College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any visitation, or if he shall think fit at other times, to require the Warden and Fellows to answer in writing touching any matter as to which the Visitor may

deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

42. As often as any question shall arise on which the Warden and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College in force for the time being, it shall be lawful for the Warden and Fellows, or for the Warden or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

43. It shall be lawful for the Warden or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Warden and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence, as he shall deem just.

44. It shall be lawful for the Visitor, either *proprio motu*, or on the complaint of the Warden or any of the Fellows, to disallow and annul any Bye-law or resolution of the Warden and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

45. Any provision of the existing Statutes whereby any member of the College may be prohibited or restrained from calling for a copy of any charges made against him before the Visitor or his Commissary, or for the name or names of the person or persons making such charges, shall be henceforth void.

46. The Warden and Fellows, by a majority consisting of not less than two thirds of the votes of those present, the vote of the Warden being counted as two votes, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the

College in force for the time being, with the consent of the Visitor.

47. Wherever the words "the Fellows," or "the Warden and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows; and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

48. This Ordinance shall be without prejudice to any existing interest, (being such an interest as is intended to be saved by the said Act,) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal this 28th day of March 1857.

L. S.

ORDINANCES

CONCERNING

PEMBROKE COLLEGE.

PAGE

1. General Ordinance, framed by the Commissioners 427

2. Ordinance concerning the Townsend Scholarships, framed by the Commissioners 448

3. Ordinance amending the General Ordinance, made by the Master and Fellows 449

ORDINANCES

CONCERNING

PEMBROKE COLLEGE.

General Ordinance, framed by the Commissioners.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to "make further Provision for the good Government and Ex- "tension of the University of Oxford, of the Colleges therein, "and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Pembroke College in the said University:—

1. In elections to the office of Master of the said College, no person shall be entitled to preference on account of his being or having been a Fellow of the College, or a member of Balliol College or of University College. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being) who, in their judgment, shall be most fit for the government of the College as a place of religion, learning, and education.

2. The Master and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Mastership, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and

may fix the time at which such commutation shall take effect; and may also from time to time regulate, increase, or diminish the Master's emoluments, whether commuted or uncommuted, as they shall think proper: Provided that no exercise of this power shall affect the person then being Master without his consent; Provided also that the Visitor, upon the petition of the Master, or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

3. If at any time it shall appear that the Master has become permanently incapable of performing the duties of his office, the Vice-Gerent shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying him to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Master (as the case may be,) it shall appear to the satisfaction of the Visitor that the Master has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Vice-Gerent, shall be presented to him, to be Vice-Master of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one third) of the Master's emoluments as the Visitor shall think fit; provided that the Master shall be at liberty to retain his lodgings. And such Vice-Master shall, so long as the Master shall retain his office, and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Master except the power of consenting to any commutation, regulation, or diminution of the Master's emoluments, and shall be liable to deprivation for the same causes, and in the same manner. If any Vice-Master shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor

shall appoint a new Vice-Master in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Master's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

4. The Fellowship of the foundation of King Charles the First, within the College, shall be converted into Scholarships in manner herein-after mentioned.

5. From and after the first vacancy which shall occur in the said Fellowship, (or, if the same shall be vacant when this Ordinance shall be approved by Her Majesty in Council, then from and after such approval,) that proportion of the whole sum payable to the College on account of the said foundation, which by the Letters Patent of King Charles the First, dated the seventeenth day of June in the eleventh year of his said Majesty's reign, is appropriated to the maintenance of a Fellowship, shall be applied to the maintenance of incorporated Scholars within the said College, to be called King Charles the First's Scholars, between whom the amount of the said emoluments shall be divided in equal shares.

6. The number of the said Scholars shall be such as the Master and Fellows shall from time to time determine; provided that it be not less than two, nor so great as to reduce each Scholar's share of the said emoluments below fifty pounds *per annum*. The Senior for the time being in residence of the King Charles the First's Scholars shall always be entitled to rooms within the College rent free.

7. The King Charles the First's Scholars shall be elected by the Master and Fellows from persons born in Jersey or Guernsey, or in one of the islands adjacent to them, or educated for the two years last preceding the election either at Victoria College in Jersey or at Elizabeth College in Guernsey.

8. The election of the King Charles the First's Scholars shall take place on the same day as that fixed for the election of Abingdon Scholars, subject to the provisions for postponement herein-after contained. The candidates shall be examined in such subjects and in such manner as the Master and Fellows shall determine; and that candidate (being otherwise

duly qualified according to the Statutes in force for the time being) shall be elected, who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

9. The emoluments of all the Fellowships within the College (except the Fellowship of King Charles the First's foundation), including so much of the yearly sum payable under the said Letters Patent of King Charles the First as is not thereby appropriated to the maintenance of the last-mentioned Fellowship, and the emoluments of the several Scholarships of the foundations of Thomas Tesdale, Richard Wightwick, Francis Wightwick, Sir John Benet, and Sir John Phillips, and also any sum which may become available by the commutation of the Master's emoluments, shall be consolidated into a common fund for the maintenance of Fellowships and incorporated Scholarships within the College in manner herein-after mentioned.

10. All the emoluments of each of the said Fellowships and Scholarships which would have been payable to the Fellow or Scholar for the time being if this Ordinance had not been made, from and after the next vacancy, or, as to any of them which may be vacant when this Ordinance shall be approved by Her Majesty in Council, from and after such approval, and any sum which may become available by the commutation of the Master's emoluments, from and after the time when such commutation shall come into operation, shall be carried to a general account in the College books; and all moneys carried to such general account shall be applicable to the following purposes, but (subject to the provisions of this Ordinance as to the number of Fellowships and Scholarships, and the emoluments of Fellows and Scholars hereafte r to be elected,) in such order, manner, and proportions as the Master and Fellows shall think most expedient; namely—

(1.) In equalizing as far as may be, after the number of the Fellows of the College shall be reduced to ten, the incomes of the Fellows for the time being, and in increasing such incomes to any amount not exceeding Two hundred pounds a year each:

(2.) In increasing the stipends or emoluments of all or

any of the present incorporated Scholars of the College elected since the passing of the said Act:

(3.) In payment of the stipends or emoluments of incorporated Scholars and Fellows hereafter to be elected pursuant and subject to the provisions of this Ordinance:

Provided that any money which may not be required for any of the aforesaid purposes may from time to time be retained and accumulated, and the accumulations may be applied to all or any of those purposes, as the Master and Fellows shall think fit, and that nothing herein contained shall prejudice the right of the Master and Fellows to apply any part of the corporate revenues of the College to the payment of stipends to College officers, or other corporate purposes.

11. The number of Fellowships within the College shall never be less than ten, but, subject to this provision, shall be as great as the Master and Fellows shall from time to time determine, having regard to the requirements of the College and the amount of the common fund; provided that no Fellow shall receive out of the common fund more than Two hundred pounds in a year whilst the number of Fellowships shall be less than sixteen, or the number of incorporated Scholarships less than sixteen, exclusive of the King Charles the First's Scholarships and Bishop Morley's Scholarship.

12. No Fellow hereafter to be elected shall be entitled to receive out of the common fund in any year a larger sum than any other Fellow hereafter to be elected.

13. There shall always be two Fellows of the College who shall be called the Sheppard Fellows, of whom one shall be called to the Bar, or be admitted an Advocate at Doctors' Commons, as soon as he lawfully can after his election; and the other shall, as soon as he lawfully can after his election, proceed to the degrees of Bachelor and Doctor of Medicine in the University. Any Sheppard Fellow not complying with this provision shall vacate his Fellowship; Provided that the Master and Fellows may allow such call or admission or the taking of any such degree (as the case may be) to be postponed for any period not exceeding (except in case of grave illness or unsoundness of mind) two years.

14. No present or future Fellow shall be incapable of being elected to and holding any College office by reason of his being a member of any particular foundation.

15. In elections to Fellowships within the College no person shall be either entitled to preference or ineligible by reason of his place of birth, or of his being or not being of the name, lineage, or kindred of any person named in any statute, charter, or other instrument of foundation, or of his being or not being, or having been or not having been, a Scholar or Member of the College, or of any particular foundation therein, or of any school, or of his being or not being capable of being elected to any other emolument in the College, or of his pecuniary circumstances, or of his having or not having taken any degree: Provided that no person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office, which, if acquired after election, would have disqualified him for continuing a Fellow.

16. The election of Fellows and Scholars shall be vested in the Master and Fellows present at the time of election, the vote of the Master being counted as two votes; in case of an equality of votes, the Master shall have an additional casting vote.

17. The election of Fellows shall be held in Hilary Term on a stated day to be appointed by the Master and Fellows (subject to the provisions for postponement herein-after contained); and notice of every intended election, of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Master, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

18. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Master and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the Master and Fellows

shall elect that candidate, (being otherwise duly qualified according to the Statutes in force for the time being,) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

19. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled in possession, either by descent or devolution, or by virtue of any testamentary or other gift or settlement, for his life or for any greater estate, to property real or personal, or to any Government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls), clear of deductions (except for income or property tax), shall exceed Three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources, (including or not including a benefice with cure of souls,) clear of deductions as aforesaid, shall exceed Five hundred pounds, vacate his Fellowship on the First of January next after he shall so be instituted or admitted or become entitled as aforesaid; and for this purpose the income which the estimated value of any property would produce if invested in Government securities at the price current at the time of the acquisition thereof shall, in case of doubt, be considered to be the income derivable from such property. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice. Provided that, if any Fellow who shall become possessed of any such property or pension as aforesaid, shall, at the time of his becoming possessed thereof, hold the office of Dean, Tutor, or Lecturer, within the College, and shall be found very useful in such office, the Master and Fellows may retain him in his Fellowship, either with or without the emoluments of the same, but with all the other rights and privileges of a Fellow: Provided also that this power shall be exercised, if at all, at the next stated general meeting after the day on which the Fellowship would other-

wise be vacated. Upon ceasing to hold one of such offices within the College, the Fellow so retained shall vacate his Fellowship.

20. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and although they may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

(*a*.) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the Master and all the Fellows shall have been given, the Master's vote being counted as two votes.

(*b*). Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma or by decree of Convocation, or any honorary degree; provided that two thirds of the votes of the Master and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid, the Master's vote being counted as two votes.

21. The election in such excepted cases shall always be held more than thirty days before the usual stated day of election, and the electors may, at the time of the election, determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges; provided also that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

22. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office, which would in ordinary cases disqualify him for continuing a Fellow, may

nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Master and all the Fellows, or, if he shall be Principal of any Hall (not being a private Hall), by two thirds of the votes of the Master and all the Fellows, the Master's vote being in each case counted as two votes; provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

23. Not more than one Fellowship shall at any one time be held by Professors or Public Lecturers elected as such under clause 20 of this Ordinance, or retained under clause 22 of this Ordinance, if and so long as the whole number of Fellowships within the College shall not exceed twelve.

24. Every Professor, Public Lecturer, or Principal of a Hall, elected to or retained in a Fellowship by virtue of either of the foregoing clauses numbered 20 and 22, shall, upon ceasing to hold such Professorship, Public Lecturership, or Principalship, vacate his Fellowship.

25. It shall be lawful for the Master and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Master and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Master and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

26. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College shall thereupon vacate his Fellowship.

27. The provisions respecting the residence of Fellows and Scholars and the mode of granting leave of absence from the University contained in the existing Statutes shall be henceforth void. The Master and Fellows shall, at the first stated

general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows within the University, and respecting the mode in which, and the conditions under which, leave of absence may be granted to any Fellow, as they may deem expedient for the interests of the College as a place of learning and education; and may vary such regulations from time to time; and may enforce such regulations, if they shall think fit, by pecuniary penalties, and, in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Master and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the Fellows.

28. No present or future Fellow or Scholar shall be bound, as a condition of retaining his Fellowship or Scholarship, to enter into Holy Orders, or to proceed to the degree of Bachelor of Divinity, or (not being in Holy Orders) to study theology. But if at the time of holding an election to any Fellowship, other than a Sheppard Fellowship, there shall not be four Fellows in Holy Orders, the whole number of Fellowships (other than Sheppard Fellowships) being eight, or if there shall not be five, the whole number of Fellowships (other than Sheppard Fellowships) being above eight but below twelve,—or six, the whole number of Fellowships (other than Sheppard Fellowships) being above eleven but below fifteen,—no person shall be capable of being elected to such vacant Fellowship who shall not then be a priest or deacon of the United Church of England and Ireland.

29. No Fellow hereafter to be elected shall vacate his Fellowship by reason of his having held the same during any period of time mentioned in any Statute of the College or in any instrument of foundation; and no present or future Fellow or Scholar shall be disqualified for retaining his Fellowship or Scholarship by reason of his having refused to be presented to any benefice.

30. The number of incorporated Scholarships within the College shall never be less than ten, exclusive of the King Charles the First's Scholarships and Bishop Morley's Scholarship, but, subject to this provision, shall be as great as the

Master and Fellows shall from time to time determine, having regard to the requirements of the College and the amount of the common fund.

31. Every person hereafter to be elected to any of the incorporated Scholarships, except the King Charles the First's Scholarships and Bishop Morley's Scholarship, shall receive not less than Fifty pounds a year out of the common fund, inclusive of all allowances, and shall be entitled to rooms within the College rent free.

32. Of the incorporated Scholarships within the College there shall always be five at least which shall be called "Abingdon Scholarships," to be filled up by the election of persons educated at Abingdon School for the two years last preceding the day of election; such of the present Scholars of the College on the foundations of Thomas Tesdale and Richard Wightwick as have not been elected as of kin to the respective founders, but as Scholars in Abingdon School, being, for the purpose of such computation, counted as Abingdon Scholars. It shall be lawful for the Master of Abingdon School, the Master of Christ's Hospital at Abingdon, and the two senior Governors of the same Hospital, or the major part of them, to nominate every year, for one Abingdon Scholarship, one or more candidate or candidates, qualified as above mentioned; and the Master and Fellows shall elect the candidate (if but one) or the most proficient of the candidates (if more than one) so nominated, if in their judgment of sufficient merit, after an examination in such subjects and conducted in such manner as the said Master and Fellows shall determine. In case of an equal division of votes among the nominators to the Abingdon Scholarships, the Master of Abingdon School shall have an additional casting vote.

33. In nominations and elections to the Abingdon Scholarships, no person shall be entitled to preference or ineligible by reason of his place of birth, or of his being or not being of the name, lineage, or kindred of any person named in any statute, charter, or other instrument of foundation, or by reason of his being or not being a Scholar of any particular foundation in Abingdon School.

34. The election of Abingdon Scholars shall take place annually in Hilary Term, on a day to be fixed by the Master.

who shall give notice thereof to the Master of Abingdon School before the end of the preceding Michaelmas Term.

35. In elections to the Scholarships to be maintained out of the common fund (other than the said Abingdon Scholarships) no person shall be entitled to preference or ineligible on account of his place of birth or place of education, or of his being or not being of the name, lineage, or kindred of any person named in any statute, charter, or other instrument of foundation, or by reason of his being or not being capable of being elected to any other emolument in the College, or of his being or not being of such standing in the University as is required by any instrument of foundation relating to any Scholarship now existing in the College.

36. The elections to the Scholarships to be maintained out of the common fund (other than the Abingdon Scholarships) shall take place annually in Hilary Term, on a day to be fixed by the Master (subject to the provisions for postponement herein-after contained); and notice of such intended election shall be given by the Master, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

37. The Scholars to be maintained out of the common fund (other than the Abingdon Scholars) shall be elected by the Master and Fellows after an examination of the candidates in such subjects and conducted in such manner as the Master and Fellows shall determine; and that candidate shall be elected (being otherwise duly qualified according to the Statutes in force for the time being) who after such examination shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

38. No person who shall have attained the age of twenty years shall be capable of being elected to any of the Scholarships to be maintained out of the common fund.

39. The two Scholarships of the foundation of Edmund Boulter and the Exhibition of the foundation of Dr. John Radcliffe shall be consolidated in manner following; namely, the said Scholarships and Exhibition shall, as vacancies occur therein, not be filled up, but all the emoluments thereof respectively which would have been payable to the persons elected into the same and their successors, had the same been

filled up, shall be applied, as they become available, in maintaining two Scholars within the College, to be called the "Boulter and Radcliffe Scholars," each of whom shall receive yearly one half of the total amount of such emoluments. The time when the first election shall be held to each of the said Boulter and Radcliffe Scholarships shall be in the discretion of the Master and Fellows.

40. The election to the Boulter and Radcliffe Scholarships shall be held on the same days, in the same manner, and after the same previous notice, as to the Scholarships (other than the Abingdon Scholarships) to be maintained out of the common fund. In elections to them no person shall be entitled to preference or ineligible on account of his parentage or place of birth, or of his being or not being of the name or kindred of any person named in any instrument of foundation, or of his being or not being intended for any particular profession.

41. The five Scholarships of Bishop Morley's foundation shall be consolidated into one Scholarship, to be called "Bishop Morley's Scholarship," the holder of which shall be considered as one of the incorporated Scholars of the College, and to which the same persons shall be eligible, and the day and manner of election shall be the same, as to the King Charles the First's Scholarships. The Bishop Morley's Scholar shall be entitled to rooms rent free, to be assigned to him by the Master. He shall not be required to enter into the promise or engagement or into the obligation which the Scholars of Bishop Morley's foundation are by the instrument of foundation now required to enter into.

42. The elections to the King Charles the First's Scholarships and Bishop Morley's Scholarship shall, as to the years in which the same shall be held, be so regulated with reference to the elections to Scholarships on King Charles the First's foundations at Exeter College and Jesus College, that an election to one Scholarship at least on one or other of those four foundations may, as far as possible, be held every year. The Master and Fellows may for this purpose make such arrangements as they shall think proper with the governing bodies of Exeter College and Jesus College, and may suspend the elections to the said King Charles the First's and Bishop

Morley's Scholarships within Pembroke College so often and for so long as may be necessary or convenient for the same purpose, and may retain the emoluments of any suspended Scholarship during the period of suspension, and employ the same in augmenting the value or number of the Scholarships on either or both of those two foundations in such manner as they shall think fit.

43. The three Scholarships of the foundation of Francis Rous shall be consolidated into one Scholarship, to be called the "Rous Scholarship." In elections to the Rous Scholarship no person shall be entitled to preference by reason of his being of the posterity or consanguinity of any person named in any instrument of foundation, or of his intending to take Holy Orders; and no person shall be ineligible by reason of his having ten pounds *per annum*. But, as often as it shall become vacant, it shall be lawful for the Head Master of the School of Eton College to nominate for such Scholarship one or more candidate or candidates, being a Scholar or Scholars of Eton College, educated for not less than two years in that College; and the Master and Fellows of Pembroke College shall elect the candidate (if but one) or the most proficient of the candidates (if more than one) so nominated, if in their judgment of sufficient merit, and otherwise qualified for election, after an examination in such subjects and conducted in such manner as the said Master and Fellows shall determine.

44. The two Scholarships of Dame Elizabeth Holford's foundation shall be consolidated into one Scholarship, to be called the "Holford Scholarship." The Holford Scholar shall be elected by the Master and Fellows from candidates being Scholars of the Charterhouse School, on the foundation of Thomas Sutton, after a competitive examination of such candidates. If on any vacancy two or more of such candidates shall not present themselves, or if of the candidates who shall present themselves there shall be none whom the Master and Fellows shall judge of sufficient merit and otherwise qualified for election, the Scholarship shall be thrown open for that turn to all Scholars of the Charterhouse School, educated for not less than two years at that school.

45. The consolidation of the Bishop Morley, Rous, and

Holford Scholarships shall be effected in the same manner, *mutatis mutandis,* as that of the Boulter and Radcliffe Scholarships.

46. The elections to the Rous and Holford Scholarships and to the Scholarships of the foundation of George Townsend shall be held on the day which shall be appointed for elections to the Abingdon Scholarships. The Master shall, in each case, before the end of the preceding Michaelmas Term, give notice of the intention to elect a Rous Scholar to the Head Master of the School of Eton College, of the intention to elect a Holford Scholar to the Head Master of the Charterhouse School, and of the intention to elect a Scholar or Scholars on George Townsend's foundation to the Head Master or Head Masters of the school or schools from which, according to the instrument of foundation of those Scholarships, the vacancy or vacancies is or are to be filled up.

47. Whenever a King Charles the First's Scholarship, an Abingdon Scholarship, a Bishop Morley, Rous, or Holford Scholarship, or a Scholarship on George Townsend's foundation, shall be vacant, and no candidate shall offer himself for such Scholarship duly qualified by nomination or otherwise according to the foregoing provisions, or, in the case of a Townsend Scholarship, qualified according to the instrument of foundation of those Scholarships, (as the case may be,) whom the electors shall judge of sufficient merit for election, such Scholarship shall be thrown open for that turn, and the election shall be postponed to a day, to be fixed by the Master and Fellows, not later than the next ensuing day of election to the Scholarships (other than the Abingdon Scholarships) to be maintained out of the common fund, and shall be conducted in the same manner and after the same previous notice as the election to such Scholarships.

48. Whenever there shall be no duly qualified candidate for a vacant Fellowship or for any Scholarship to be maintained out of the common fund (other than an Abingdon Scholarship), or for any Scholarship which shall have been thrown open as aforesaid, whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant, and there shall not be time to give the notice herein-before directed before the day of elec-

tion, the election to that Fellowship or Scholarship shall be postponed to some other day, to be fixed by the Master and Fellows for the purpose, not later than the day which shall be appointed for the election, in the case of a Fellowship to Fellowships, and in the case of a Scholarship to Scholarships, to be maintained out of the common fund (other than Abingdon Scholarships), in the next year; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

49. All the Scholarships to be maintained out of the common fund, the King Charles the First's Scholarships, Bishop Morley's Scholarship, the Boulter and Radcliffe Scholarships, the Rous Scholarship, and the Holford Scholarship, shall respectively be tenable for five years and no longer, except in the case of any Scholar to whom the Master and Fellows may grant an extension of time, which shall in no case exceed two years from the expiration of the said term of five years: Provided that in the case of any Scholarship, the election to which shall have been postponed under the foregoing provision, the said term shall be computed from the day on which the election would have taken place if there had been no postponement. And every incorporated or unincorporated Scholar who shall marry, or shall be elected to a Fellowship in the College, or to a Fellowship or Scholarship in any other College, shall thereupon vacate his Scholarship; but no Scholar shall be disqualified for retaining his Scholarship by reason of his having become possessed of property exceeding in value ten pounds a year.

50. The Master and Fellows may grant leave of absence from the University to any Scholar so often and for so long as they may think fit, without forfeiture or diminution of the emoluments of his Scholarship.

51. The Fellows and Scholars to be maintained out of the common fund, the King Charles the First's Scholars, and Bishop Morley's Scholar, shall be subject, as regards qualification for election and otherwise, to the Statutes of the College in force for the time being; and all the Scholars shall be subject to such regulations as to their residence, instruction, discipline, and attendance on Divine Worship, as the Master and

Fellows shall from time to time determine, and shall be subject to deprivation by the Master and Fellows for such misconduct as in the judgment of the Master and Fellows may merit deprivation.

52. The power of depriving the Master for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him after due inquiry upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Master and Fellows, and shall be exercised by the vote of the major part of the Master and all the Fellows, subject only to such appeal to the Visitor as is herein-after provided: Provided that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

53. The oaths prescribed by the existing Statutes shall not hereafter be taken. But every person elected to a Fellowship shall, on his admission, make a declaration to the effect that he will obey the Statutes and Bye-laws of the College in force for the time being, and will faithfully discharge his duties as a Fellow of the College; and every person elected to a Scholarship shall, on his admission, be admonished by the Master to obey the Statutes of the College in force for the time being, so far as they may concern him; and every person admitted to the Mastership or to any College office, on admission to which any oath is by the Statutes now in force prescribed to be taken, shall make a declaration to the effect that he will faithfully discharge the duties of such office, and obey the Statutes and Bye-laws of the College in force for the time being.

54. No member of the College shall hereafter be bound by any resolution of the Master and Fellows respecting the election to any University office.

55. The Master and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of

the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Master and Fellows shall think proper: Provided that it shall be lawful for the Visitor, upon the petition of the Master, or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if the Visitor shall think fit: Provided also that the Mastership shall not be deemed to be an office within the meaning of this clause.

56. The Master and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Master and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

57. There shall be two stated general meetings at least of the Master and Fellows in every year, on such days as the Master and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Master shall be counted as two votes at all College meetings, and in the deprivation of Fellows and Scholars. Subject to the foregoing provisions, and except in cases in which the concurrence of any specified proportion of the Master and Fellows, or the consent of the Master is hereby made requisite, every question arising at any College meeting shall be decided by a majority of the votes of those present. Whenever the votes shall be equal, the Master shall have an additional casting vote. Any Statute, rule, or usage of the College, which prohibits or restrains, expressly or by

implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be hereafter void: Provided that the Master and Fellows may make from time to time such rules for regulating the proceedings of College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

58. The power which is given by the existing Statutes to the Vice-Gerent to act in place of the Master, and the power of any officer of the College who may hereafter be authorized by any Statute or Bye-law to act in place of the Master, shall be deemed to extend to all the acts which the Master is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Master's emoluments.

59. The particular provisions of the existing Statutes respecting the subjects and hours of study and instruction within the College, and the disputations and other exercises to be performed by its members; and respecting the preaching and hearing of University sermons by the members of the College; and respecting the dress and other personal habits of its members, and the conditions of their going beyond the precincts of the College; and respecting the meals of the members of the College, and the mode of serving and conducting the same; and respecting the punishments for offences, not being such as require deprivation; and respecting the admission of strangers into the precincts of the College; and respecting the reading of the Statutes; and respecting the number, duties, and payment of the servants of the College; and respecting the custody of the moneys, plate, and other goods of the College, other than the muniments and seals, shall be henceforth void. The Master and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions or any of them are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such

right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby as is herein-after provided.

60. The Master and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College.

61. If in any case it shall appear to the Visitor that, by reason of any change in the value of money, any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

62. It shall be lawful for the Visitor once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit, at other times, to require the Master and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

63. As often as any question shall arise on which the

Master and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College in force for the time being, it shall be lawful for the Master and Fellows, or for the Master or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

64. It shall be lawful for the Master, or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Master and Fellows, and for any Scholar who may have been deprived of his Scholarship, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence, as he shall deem just.

65. It shall be lawful for the Visitor, either *proprio motu*, or on the complaint of the Master, or of any of the Fellows, to disallow and annul any bye-law or resolution of the Master and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

66. The Master and Fellows may from time to time at any stated general meeting, subject to the provisions of the Section numbered XL. in the Queen's Printers' copy of the said Act, by a majority of not less than two thirds of the votes of those present, the vote of the Master being counted as two votes, repeal or alter from time to time any of the Statutes of the College in force for the time being, with the consent of the Visitor.

67. This Ordinance shall be without prejudice to the right (if any) of any Scholars of the College elected before the passing of the said Act to succeed or be elected to Fellowships; and the words "present Fellows of the College" are in this Ordinance intended to include any persons who may succeed or be elected to Fellowships by virtue of any such right; and the words "Fellows hereafter to be elected" are intended not to include such persons.

68. This Ordinance shall also be without prejudice to the right (if any) of any of the present Fellows of the College,

under the Statutes or under any instrument of foundation, to receive the emoluments of any Fellowships or Fellowship which may be or become vacant during the vacancy thereof, and shall be otherwise without prejudice to any existing interest, (being such an interest as is intended to be saved by the said Act,) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal this Nineteenth day of February 1857.

L. S.

Ordinance concerning the Scholarships of the foundation of George Townsend, Esq., framed by the Commissioners.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to "make further Provision for the good Government and Exten- "sion of the University of Oxford, of the Colleges therein, "and of the College of Saint Mary Winchester," ordain as follows, in relation to the Scholarships of the foundation of George Townsend, Esq., in Pembroke College, within the said University:—

1. The emoluments of the foundation of George Townsend, Esq., shall be divided quarterly, in equal shares, among such Scholars of that foundation as shall not have exceeded the sixteenth term from that of their matriculation inclusive, and such Graduate Scholar or Scholars as shall be residing in the University in order to keep the one Term now necessary to

enable Bachelors of Arts to proceed to the degree of Master of Arts; so that no Scholar shall receive any part of the emoluments of the foundation for more than one Term after he shall have completed his sixteenth Term from matriculation.

2. Each of the four junior Scholars of that foundation for the time being, while resident in the University, and until he shall have completed his sixteenth Term from matriculation inclusive, shall enjoy a separate set of rooms rent free. The four senior Scholars shall have no claim to rooms.

3. In elections to Scholarships of that foundation, no Scholar shall be considered duly qualified, according to the instrument of foundation, as a Scholar of any of the schools named in the will of the said George Townsend, unless he shall have been receiving education in such school for a continuous period (inclusive of vacations) of two years out of the three years immediately preceding the day of election.

4. It shall be lawful for the persons in whom the election of each Townsend Scholar is vested under the said will to elect on each occasion, if they or a majority of them shall think fit, two or more candidates, out of whom the Master and Fellows shall choose the most proficient, if, in their judgment, of sufficient merit for election.

Given under our Common Seal this Twenty-eighth day of May one thousand eight hundred and fifty-seven.

L. S.

Ordinance amending the Ordinance of February 19, 1857, *made by the Master and Fellows.*

WHEREAS the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to "make further Provision for the good Government and Ex-

"tension of the University of Oxford, of the Colleges therein, "and of the College of Saint Mary Winchester," framed and settled an Ordinance in relation to Pembroke College in the said University, dated the Nineteenth day of February one thousand eight hundred and fifty-seven; and whereas the said Ordinance contains the following clauses:—

"36. The elections to the Scholarships to be maintained "out of the common fund (other than the Abingdon Scholar- "ships) shall take place annually in Hilary Term, on a day "to be fixed by the Master (subject to the provisions for post- "ponement herein-after contained); and notice of such intended "election shall be given by the Master, in such manner as he "shall deem best adapted to ensure publicity, thirty days at "least before the day of election."—

"47. Whenever a King Charles the First's Scholarship, "an Abingdon Scholarship, a Bishop Morley, Rous, or Hol- "ford Scholarship, or a Scholarship on George Townsend's "foundation, shall be vacant, and no candidate shall offer "himself for such Scholarship duly qualified by nomination "or otherwise according to the foregoing provisions, or, in "the case of a Townsend Scholarship, qualified according to "the instrument of foundation of those Scholarships, (as the "case may be,) whom the electors shall judge of sufficient "merit for election, such Scholarship shall be thrown open "for that turn, and the election shall be postponed to a day "to be fixed by the Master and Fellows, not later than the "next ensuing day of election to the Scholarships (other than "the Abingdon Scholarships) to be maintained out of the "common fund, and shall be conducted in the same manner "and after the same previous notice as the election to such "Scholarships."—

And whereas by an Act passed in the nineteenth and twentieth years of the reign of Her Majesty Queen Victoria, intituled, "An Act to amend the Act of the seventeenth and "eighteenth years of Her Majesty, concerning the University "of Oxford and the College of Saint Mary Winchester," it is enacted that it shall be lawful for any College of or in relation to which any Regulation, Ordinance, or Statute shall have been approved by Her Majesty in Council under Section 36 of the said Act, from time to time, with the approval of the

Commissioners, and during the continuance of their powers under the said Act, to amend and alter such Regulation, Ordinance, or Statute, subject to the same conditions and provisions as are imposed by the Act in relation to the making of the original Regulation, Ordinance, or Statute :—

And whereas it is expedient that the said Ordinance of the Nineteenth day of February one thousand eight hundred and fifty-seven should be amended as hereinafter mentioned :—

We, the Master and Fellows of Pembroke College aforesaid, ordain as follows : "The said Ordinance of the Nineteenth "day of February one thousand eight hundred and fifty-"seven shall hereafter be read, as if, in lieu of the clauses herein-before set forth, there had been inserted the clauses following :

"36. The elections to the Scholarships to be maintained "out of the common fund (other than the Abingdon Scholar-"ships) shall take place on a stated day, or stated days, in "each year, to be appointed from time to time by the Master "and Fellows, subject to the provisions for postponement "herein-after contained ; and notice of such intended election "shall be given by the Master in such manner as he shall "deem best adapted to secure publicity, thirty days at least "before the day of election."

"47. Whenever a King Charles the First's Scholarship, "an Abingdon Scholarship, a Bishop Morley, Rous, or Hol-"ford Scholarship, or a Scholarship on George Townsend's "foundation, shall be vacant, and no candidate shall offer "himself for such Scholarship duly qualified by nomination "or otherwise according to the foregoing provisions, or, in "the case of a Townsend Scholarship, qualified according to "the instrument of foundation of these Scholarships, (as the "case may be,) whom the Master and Fellows shall judge of "sufficient merit for election, such Scholarship shall be thrown "open for that turn ; and the election shall be postponed "to a day to be fixed by the Master and Fellows, not later "than the next ensuing stated day of election to the Scholar-"ships (other than the Abingdon Scholarships) to be main-"tained out of the common fund ; and shall be conducted "in the same manner and after the same previous notice as "the election to open Scholarships : Provided always that the

" emoluments of every Scholar so elected as last aforesaid shall " accrue from the same time as if, being qualified by nomination " or otherwise, he had been elected on the day on which the " election would have taken place if there had been no post- " ponement, and shall not in any case be enjoyed for more than " five years, to be computed from that day."

Given under our Common Seal this Third day of June in the year of our Lord one thousand eight hundred and fifty-eight.

L. S.

Laid before us, the said Commissioners, this Ninth day of June one thousand eight hundred and fifty-eight, and approved under our Common Seal.

L. S.

ORDINANCE

CONCERNING

WORCESTER COLLEGE.

ORDINANCE

CONCERNING

WORCESTER COLLEGE.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act "to make further Provision for the good Government and "Extension of the University of Oxford, of the Colleges "therein, and of the College of St. Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Worcester College in the said University:—

1. No person being or having been a Fellow of the said College shall be incapable of being appointed Provost thereof by reason of his being or not being, or having been or not having been, a member of any particular foundation therein. The Chancellor of the University shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being) who, in his judgment, shall be most fit for the government of the College as a place of religion, learning, and education.

2. The Provost shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided that, in case of the Provost's sickness, or for any other urgent cause, it shall be lawful for the Visitors, or the major part

of them, to dispense with the Provost's residence for such a period as may seem to them to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the Provost.

3. The Provost and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Provostship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Provost's emoluments, whether commuted or uncommuted, as they shall think proper: Provided that no exercise of this power shall affect the person then being Provost without his consent: Provided also that the Visitors, or the major part of them, upon the petition of the Provost, or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if they shall think fit.

4. If at any time it shall appear that the Provost has become permanently incapable of performing the duties of his office, the Vice-Provost shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitors, setting forth the circumstances of the case, and praying the Visitors to inquire into the truth of them; and the Visitors shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Provost, (as the case may be,) it shall appear to the satisfaction of the Visitors or the major part of them, that the Provost has become permanently incapable of performing his duties, then the Visitors, or the major part of them, shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Vice-Provost, shall be presented to them, to be Pro-Provost of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not ex-

ceeding one third) of the Provost's emoluments as they shall think fit; provided that the Provost shall be at liberty to retain his lodgings. And such Pro-Provost shall, so long as the Provost shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Provost, except the power of consenting to any commutation, regulation, or diminution of the Provost's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes and in the same manner. If any Pro-Provost shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitors, or the major part of them, shall appoint a new Pro-Provost in the same manner. It shall be lawful for the Visitors, or the major part of them, if at any time they shall be satisfied that the Provost's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

5. The first and third Fellowships of the foundation of Sir Thomas Cookes, the second Fellowship of the foundation of Mrs. Sarah Eaton, and the fourth Fellowship of the foundation of Dr. George Clarke, which shall become vacant after the approval of this Ordinance by Her Majesty in Council, and to which there shall be no Scholar entitled by virtue of an interest acquired before the passing of the said Act to succeed or be elected, shall not be filled up. The emoluments of such four Fellowships shall sink into the divisible corporate revenues of the College; but the Provost and Fellows shall be bound, out of the divisible revenues, to maintain the four Exhibitions next herein-after mentioned, and also to increase the value of the Scholarships within the College as herein-after directed. From and after the vacancy of the aforesaid third Fellowship of the foundation of Sir Thomas Cookes, the corporate revenues of the College shall be charged with the maintenance of four Exhibitions, to be called the Exhibitions of Sir Thomas Cookes. Each Exhibition shall be tenable for four years from the day of election inclusive: Provided that, if any Exhibition shall be vacated before the expiration of the said term of four years, the person elected upon such vacancy

shall hold the Exhibition for the residue only of the said term. Each Exhibitioner shall receive Thirty pounds per annum, and shall be entitled to rooms within the College rent free. Elections to the said Exhibitions shall, as regards the time, place, and manner of holding the same, and the qualifications to be required of the candidates with respect to their place of education, be conducted in all respects as elections to the Scholarships of the foundation of Sir Thomas Cookes. The time at which the first election to each Exhibition shall be held shall be in the discretion of the Provost and Fellows.

6. The Fellowships of the foundation of Dr. James Finney shall, as vacancies occur therein, to which there shall be no person entitled by virtue of an interest acquired before the passing of the said Act to succeed or be elected, and the Scholarships of the same foundation shall, when vacant, not be filled up. All the emoluments of those Fellowships and Scholarships shall be consolidated and applied to the maintenance of one Scholarship within the College, to be called the Finney Scholarship, to be filled up, so often as it shall become vacant, by the election of a person born in the county of Stafford, if any such be found of sufficient merit and fit to be a Scholar of the College in the judgment of the electors. Except as above mentioned, no person shall, in elections to the Finney Scholarship, be ineligible or entitled to preference by reason of the place of his birth. The time at which the first election shall be held to the said Finney Scholarship shall be in the discretion of the Provost and Fellows.

7. The election of Fellows of the College shall be vested in the Provost and such of the Fellows present at the time of election as shall have been admitted to the degree of Master of Arts or to any superior degree.

8. In elections to Fellowships within the College, no person shall be either entitled to preference or ineligible by reason of his place of birth or place of education, or of the condition or place of residence of his parents, or of his age or pecuniary circumstances; or of his being or not being of the name or kindred of any person named in any instrument of foundation; or of his having or not having taken any degree; or of his being or not being, or having been or not having been, a Scholar of the College, or of any particular foundation

therein: Provided that no person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office, which, if acquired after election, would have disqualified him for continuing a Fellow: Provided also that no person shall be eligible to any of the Fellowships of the foundation of Mrs. Sarah Eaton, who shall not have certified to the satisfaction of the electors that he is not possessed of any property or income exceeding one hundred and fifty pounds per annum, and that he is the son of a clergyman of the United Church of England and Ireland.

9. The election of Fellows shall take place on a stated day in each year to be appointed by the Provost and Fellows, subject to the provision for postponement herein-after contained. Thirty days at least before the day of election, notice of every intended election, of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Provost in such manner as he shall deem best adapted to secure publicity.

10. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Provost and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the electors shall elect that candidate, (being otherwise duly qualified according to the Statutes in force for the time being,) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

11. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office, for twelve calendar months from the day of his insti-

tution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls), clear of deductions (except for property or income tax), shall exceed Three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources (including or not including a benefice with cure of souls), clear of deductions as aforesaid, shall exceed Four hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months; and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall in this clause include any estate or interest in possession in any property real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property, or any of such sources of income, shall have been acquired shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

12. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and although they may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:

(*a.*) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the Provost and all the Fellows qualified to vote in the election of Fellows shall have been given:

(*b.*) Any Principal of a Hall within the University, not

being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree either by diploma or by decree of Convocation, or any honorary degree; provided that two thirds of the votes of the Provost and all the Fellows qualified to vote in the election of Fellows shall have been given for the election of such Principal or other person as last aforesaid.

13. The election in such excepted cases shall always be held more than thirty days before the usual stated day of election; and the electors may at the time of election determine the rank which the person elected shall hold in the College without reference to the date of his election; provided that such rank shall confer no other than honorary privileges; provided also that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

14. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office, which would in ordinary cases disqualify him for continuing a Fellow, may nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Provost and all the Fellows qualified to vote in the election of Fellows, or if he shall be Principal of any Hall (not being a private Hall), by two thirds of the votes of the Provost and all the Fellows qualified as aforesaid; provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

15. Not more than one Fellowship shall at any one time be held by Professors or Public Lecturers under the powers conferred by clauses 12 and 14 of this Ordinance, if and so long as the whole number of Fellowships within the College, exclusive of suspended Fellowships, shall not exceed twelve.

16. Every Professor, Public Lecturer, or Principal of a Hall, elected to or retained in a Fellowship by virtue of either of the foregoing clauses, numbered 12 and 14, shall, upon ceasing to hold such Professorship, Public Lecturership, or Principalship, vacate his Fellowship.

17. It shall be lawful for the Provost and Fellows, at

stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the said Provost and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Provost and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

18. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University shall thereupon vacate his Fellowship.

19. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University, contained in the existing Statutes, shall be henceforth void. The Provost and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interests of the College as a place of learning and education; and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and, in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Provost and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the members of the College.

20. One third of the whole number of Fellowships may at all times be held by persons not having taken and not liable to be required to take Holy Orders. Such Fellowships shall be termed Lay Fellowships. The option of holding a Lay Fellowship shall be given to the Fellows not in Holy Orders

successively, according to seniority from the date of election. The power vested in the Provost and four of the six Senior Fellows of granting an exemption from the obligation to take Holy Orders in the case of the Library Keeper shall not hereafter be exercised. No Fellow not being in Holy Orders shall be required, as a condition of retaining his Fellowship, to study or graduate in Theology.

21. No Fellow shall be disqualified for retaining his Fellowship by reason only of his having held it for any period of time mentioned in the Statutes or in any instrument of foundation.

22. The number of Fellowships within the College (exclusive of suppressed Fellowships) shall never be less than fifteen, unless the Visitors, or the major part of them, shall think fit, on a petition in writing presented and subscribed by the Provost and not less than three fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Provost and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

23. The Provost and Fellows shall, once at least in every ten years, lay before the Visitors a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitors such additional information (if any) as they shall require for enabling them to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitors, or the major part of them, thereupon, if it shall appear to them that the revenues of the College are sufficient to afford to each Fellow an average income of more than Three hundred pounds a year, (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances,) to direct either that the

number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Provost and Fellows, with the approbation of the Visitors, or the major part of them, shall determine.

24. In elections to Scholarships within the College (other than the Finney Scholarship), no person shall be either entitled to preference or ineligible by reason of his place of birth, or of his being or not being of the kindred of any person named in the Statutes or in any instrument of foundation. In elections to Scholarships of the foundation of Sir Thomas Cookes, no person shall be entitled to preference by reason of his being one of the eleemosynary or foundation Scholars in any school designated in the Statutes, or by reason of his having been educated at any school other than the schools individually named in the existing Statutes.

25. The Scholars of the foundation of Sir Thomas Cookes shall be elected by examiners to be chosen annually by the Provost and such of the Fellows then present as shall have been admitted to the degree of Master of Arts or to any superior degree: Provided that the Provost shall always be one of such examiners, if he shall think fit. The expenses of the said examiners shall be defrayed out of the corporate revenues of the College.

26. The Scholars of the foundations of Mrs. Sarah Eaton and Dr. George Clarke and the Finney Scholar shall be elected by the Provost and such of the Fellows present at the time of election as shall have been admitted to the degree of Master of Arts or to any superior degree, after an examination of the candidates in such subjects, and conducted in such manner, as the electors shall determine; and that candidate (being otherwise duly qualified according to the Statutes in force for the time being and the respective instruments of foundation) shall be elected, who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

27. The election of Scholars shall take place on a stated

day or stated days in each year, to be appointed by the Provost and Fellows, subject to the provisions for postponement herein-after contained; and notice of every intended election to Scholarships (other than Scholarships of the foundation of Sir Thomas Cookes), of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Provost, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

28. The Scholarships of the foundation of Sir Thomas Cookes shall be tenable for six years from the day of election inclusive, and no longer: Provided that, if any such Scholarship shall be vacated before the expiration of the said term of six years, the person elected upon such vacancy shall hold the Scholarship for the residue only of the said term.

29. Every Scholarship within the College (other than the Scholarships of the foundation of Sir Thomas Cookes) shall be tenable until the holder thereof shall have completed the twenty-fourth Term from that of his matriculation inclusive, and no longer: Provided that it shall be lawful for the Provost and Fellows to terminate any Scholar's tenure of his Scholarship at the end of eighteen Terms from his matriculation inclusive, by resolution at the stated general meeting next preceding the expiration of the said eighteen Terms.

30. The emoluments of every Scholarship within the College, other than the Finney Scholarships, shall, as rapidly as the means accruing from the suppression of the said four Fellowships will admit, be augmented to a sum not less than Fifty pounds per annum, and the Scholars shall also be entitled to rooms within the College rent free.

31. Every Scholar who shall be elected to a Fellowship of the College, or to a Fellowship in any other College within the University, shall thereupon vacate his Scholarship.

32. The Provost and Fellows may deprive any Scholar of his Scholarship for any misconduct which in their judgment shall merit deprivation.

33. In elections to Exhibitions of the foundation of Dr. Thomas Kay, no person shall be entitled to preference by reason of his place of birth, otherwise than by reason of his

being a native of the county of York. Exhibitioners of the foundations of Dame Elizabeth Holford and Dr. Thomas Kay shall be elected by the persons in whom the election of Scholars of the College (other than Scholars of the foundation of Sir Thomas Cookes) is hereby vested. The Exhibitions of the foundation of Dr. Thomas Kay shall be tenable for the same period as the Scholarships of the College (other than the Scholarships of the foundation of Sir Thomas Cookes), and no longer, and shall be determinable in the same manner; and notice of every intended election to the said Exhibitions shall be given in the manner herein-before directed respecting Scholarships of the College.

34. Candidates for the Exhibitions of the foundation of Dame Elizabeth Holford and Dr. Thomas Kay shall be examined in such subjects and in such manner as the electors shall appoint, and that candidate (being otherwise duly qualified according to the instruments of foundation of those Exhibitions respectively) shall be elected who shall appear to the electors to be of the greatest merit.

35. Every Exhibitioner shall be subject to such regulations respecting residence, attendance on Divine Worship, instruction, and discipline, as the Provost and Fellows shall from time to time determine, and may be deprived of his Exhibition for any misconduct which, in the judgment of the Provost and Fellows, may merit deprivation.

36. The Provost and Fellows may, if they shall think fit, commute the stipend and allowances now payable by Statute or custom to any Fellow of the College, or any part thereof, for an aliquot share of the corporate revenues of the College. It shall be lawful for the Visitors, or the major part of them, upon the petition of any person who shall be a Fellow at the time of such commutation being determined on, and shall conceive himself aggrieved thereby, to disallow such commutation, if they shall think fit.

37. The Provost and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

38. The power of depriving the Provost for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Visitors, or the major part of them, and shall be exercised by them after due inquiry upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Provost and Fellows, and shall be exercised by the vote of the major part of the Provost and all the Fellows, subject only to such appeal to the Visitors as is herein-after provided: Provided that this clause shall not affect the Visitors' power (if any) of depriving by their own authority any member of the College.

39. Whenever there shall be no candidate for a Fellowship or Scholarship of the foundation of Mrs. Sarah Eaton, for a Scholarship or Exhibition of the foundation of Sir Thomas Cookes, for a Finney Scholarship, or for an Exhibition of the foundation of Dame Elizabeth Holford or Dr. Thomas Kay, possessing the qualifications required in each case, and whom the electors shall judge of sufficient merit for election, the election shall be thrown open for that turn, and shall be postponed to some other day, to be fixed by the Provost and Fellows for that purpose, not later than the next ensuing stated day of election, in the case of a Fellowship of Fellows of the College, and in the case of a Scholarship or Exhibition of Scholars other than Scholars of the foundation of Sir Thomas Cookes.

40. Whenever there shall be no duly qualified candidate for a vacant Fellowship of the foundation of Sir Thomas Cookes, or of Dr. George Clarke, or for a vacant Scholarship of the foundation of Dr. George Clarke, or for any Fellowship, Scholarship, or Exhibition, which shall have been thrown open as aforesaid, whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant, and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to some other day, to be fixed by the Provost and Fellows for the purpose, not later than the next ensuing stated day of election, in the case of a Fellowship of

Fellows of the College, and in the case of a Scholarship or Exhibition of Scholars other than Scholars of the foundation of Sir Thomas Cookes; and every such postponed election shall be held and conducted in the same manner and after the same previous notice as if there had been no postponement.

41. The Provost and Fellows may from time to time regulate, as they shall think fit, the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members; and may assign to such new offices such stipends or emoluments as the Provost and Fellows shall think proper: Provided that it shall be lawful for the Visitors, or the major part of them, upon the petition of the Provost or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if the Visitors shall think fit: Provided also that the Provostship shall not be deemed to be an office within the meaning of this clause.

42. The Provost and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitors, or the major part of them, shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Provost and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

43. The oaths prescribed by the existing Statutes shall not hereafter be taken. But every person admitted to any place, on admission to which an oath is now required, shall, at the time of his admission, take an oath or make a declaration, as the Provost and Fellows shall by resolution determine, to

the effect that he will faithfully perform the duties of such place, and obey the Statutes and Bye-laws of the College in force for the time being, so far as they may concern him.

44. There shall be two stated general meetings at least of the Provost and Fellows in every year, on such days as the Provost and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Provost shall be counted as one vote in all elections and College meetings, and in the deprivation of Fellows, Scholars, and Exhibitioners. Whenever the votes shall be equal at any College meeting, or in any election, or deprivation, the Provost shall have an additional casting vote. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the Provost and Fellows, or the consent of the Provost, is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present. Every Fellow of the College shall be entitled to be present and vote at every College meeting. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided that the Provost and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

45. The power which is given by the existing Statutes to the Vice-Provost to act in place of the Provost, and the power of any officer of the College who may hereafter be authorized by any Statute or Bye-law to act in place of the Provost, shall be deemed to extend to all the acts which the Provost is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Provost's emoluments.

46. The particular provisions of the existing Statutes re-

specting the disputations and other exercises to be performed by the members of the College; and respecting their meals; and respecting the punishments for offences not being such as require deprivation; and respecting the times of opening and closing the gates of the College; and respecting the reading of the Statutes; and respecting the service of the College, and the number, duties, and payment of the servants of the same; and respecting progresses and other matters relative to the supervision of the property of the College; and respecting the custody of the moneys, plate, and other goods of the College, other than the muniments and seal, shall be henceforth void. The Provost and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions or any of them are respectively intended to effect, and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitors on the part of any person who may deem himself aggrieved thereby, as is herein-after provided.

47. If in any case it shall appear to the Visitors, or the major part of them, that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitors, or the major part of them, from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as they shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

48. It shall be lawful for the Visitors, once in every ten years, (or oftener, if and whenever they shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so,) without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any

Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitors at any such visitation, or, if they shall think fit, at other times, to require the Provost and Fellows to answer in writing touching any matter as to which the Visitors may deem it expedient to inquire, for the purposes of satisfying themselves whether the Statutes in force for the time being are duly observed.

49. As often as any question shall arise on which the Provost and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College in force for the time being, it shall be lawful for the Provost and Fellows, or for the Provost or any three of the Fellows, to submit the same to the Visitors; and it shall be lawful for the Visitors, or the major part of them, to declare what is the true construction of such Statute or Statutes with reference to the case submitted to them.

50. It shall be lawful for the Provost, or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Provost and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act or decision or sentence to the Visitors; and it shall be lawful for the Visitors, or the major part of them, to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence, as they shall deem just.

51. It shall be lawful for the Visitors, or the major part of them, either *proprio motu*, or on the complaint of the Provost or of any of the Fellows, to disallow and annul any bye-law or resolution of the Provost and Fellows which shall, in the judgment of the Visitors, or the major part of them, be repugnant to any of the Statutes of the College in force for the time being.

52. The Provost and Fellows, by a majority consisting of not less than two thirds of the votes of those present, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor.

53. The Fellows of the foundation of Dr. James Finney

shall not, in the construction of this Ordinance, be counted amongst the Fellows of the College, nor the Fellowships of that foundation among the Fellowships of the College.

54. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal this 19th day of March 1857.

L. S.

ORDINANCE

CONCERNING

ST. MARY HALL.

ORDINANCE

CONCERNING

ST. MARY HALL.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to "make further Provision for the good Government and Ex- "tension of the University of Oxford, of the Colleges therein, "and of the College of Saint Mary Winchester," hereby ordain as follows in relation to the Scholarships founded by Dr. Thomas Dyke within St. Mary Hall, in the said University:—

1. The Scholarships, now six in number, shall be reduced to four, and shall be respectively tenable for four years from the day of appointment inclusive, and no longer. The emoluments of each Scholarship shall be Forty-five pounds *per annum*, which shall be paid out of the income of the estates and funds of the Foundation; and, if the same shall prove insufficient, out of the annual sum of Forty pounds, which, by an indenture dated the Seventeenth day of December one thousand eight hundred and forty, has been secured to the Trustees by Sir Thomas Dyke Acland. When so much of the net income of the said estates and funds as shall be applicable to

the payment of the Scholars, exclusive of the said annual sum of Forty pounds, shall for three years successively have exceeded by Twenty-five pounds the sum required for the payment of Forty-five pounds to each of Four Scholars, it shall be lawful for the Trustees to raise the emoluments of each Scholarship to the sum of Fifty pounds *per annum*. It shall be lawful for the Trustees further to raise the said emoluments successively to the sums of Fifty-five pounds, Sixty pounds, Sixty-five pounds, Seventy pounds, and Seventy-five pounds *per annum*, when such proportion of the said net annual income, exclusive of the said sum of Forty pounds, shall for five years successively have exceeded on an average by Thirty pounds the sum required for the payment of Fifty pounds, Fifty-five pounds, Sixty Pounds, Sixty-five pounds, and Seventy pounds, as the case may be, to each of Four Scholars. The surplus of the said income and the said annual sum of Forty pounds, subject to the foregoing direction, shall be invested by the Trustees in Three pounds per centum Consolidated Bank Annuities, and added to the capital funds of the Foundation, until the total income thereof, exclusive of the said annual sum of Forty pounds secured as aforesaid, shall amount to Three hundred pounds, clear of all deductions for chief rent and incidental expenses. After that period (at which the said annual sum of Forty pounds will cease to be payable) each Scholar shall be entitled to receive one fourth part of the clear annual income of the whole estates and funds, after payment of all incidental expenses.

2. Any person born in one of the counties of Somerset, Devon, and Cornwall, or who for the three years ending with the thirty-first day of December last preceding the day of appointment shall have been resident in those counties, or any or either of them, or who for the two years ending with such thirty-first day of December shall have been educated at any school or schools in those counties, or any or either of them, shall be capable of being appointed a Scholar, provided he have not attained the age of twenty years or exceeded the fourth term from that of his matriculation inclusive, and provided it shall appear to the satisfaction of the Trustees that he is in need of assistance to support him at the University.

No other person shall be capable of being appointed a Scholar. No person qualified as aforesaid shall be entitled to preference by reason of his being of the name or kindred of the Founder.

3. An appointment to one Scholarship at least shall be made in every year. Previous notice of every intended appointment shall be given by the Trustees in such form and manner as they may deem most proper to ensure publicity.

4. The Trustees may require from each candidate such evidence of his moral character, and of his place of birth, residence, or education (as the case may be), as they may deem sufficient; and shall, in such form as they may deem proper, present or signify in writing to the Principal of St. Mary Hall the names of all persons, duly qualified as aforesaid, who may offer themselves as Candidates.

5. The examination of the candidates shall take place at St. Mary Hall on such day or days in full Term as the Trustees shall from time to time determine, and in such manner as the Examiners shall think fit. The Examiners shall be the Principal of the Hall, or a Master of Arts of the University to be named by him, and two Masters of Arts to be named from time to time, one by the Trustees and the other by the Vice-Chancellor of the University. The Trustees shall, in such form as they may think fit, appoint to the vacant Scholarship the candidate whom the Examiners shall certify to be of the greatest merit. The emoluments of each Scholar shall be deemed to accrue from the day of his appointment.

6. All acts of presentment and appointment shall be kept and preserved by the Principal of the Hall for the time being, and copies thereof shall be entered in a register to be kept in the Hall for that purpose, and in a register to be kept in like manner by the Trustees.

7. It shall be lawful for the Trustees to allow any one or two of the unsuccessful candidates his or their expenses incurred by attendance at the said examination, so as such allowances shall not exceed the sum of five pounds to each of them.

8. Any Scholarship for which there shall be no candidate

duly qualified and of sufficient merit for appointment in the judgment of the Examiners shall not be filled up, and the emoluments thereof, together with any sums which may arise from fines or forfeitures for non-residence, and the emoluments of vacant Scholarships, shall be treated as surplus income of the Foundation.

9. Every Graduate and Undergraduate Scholar shall, as to residence within the Hall, be subject to the regulations of the Hall in force for the time being with regard to the Undergraduate members thereof, and to no other conditions or regulations as to residence. The Principal shall, at the end of each Term (Easter and Act Terms being for this purpose counted as one Term), certify under his hand to the Trustees the name of every Scholar who shall have resided during the time required by the regulations of the Hall as before mentioned, and shall have conducted himself to the Principal's satisfaction. And the annual stipend of each Scholar shall be paid to him by the Trustees in three equal portions, one at the end of each Term, on the receipt of the said certificate, but not otherwise, unless the Principal shall certify under his hand to the Trustees that it has been proved to his satisfaction, in the case of any Scholar, that such Scholar's failing to reside during the time aforesaid was occasioned by bodily illness, or unless it shall be proved to the satisfaction of the Trustees that the failing to reside was occasioned by some other unavoidable cause in their judgment sufficient to excuse such failing to reside.

10. If the name of any Scholar shall be removed from the books of the Hall by the Principal for such negligence in his studies or other misconduct as in the Principal's judgment shall merit removal, his Scholarship shall thereupon become vacant. The Principal shall at the time of such removal, or immediately afterwards, notify the same, with the cause or occasion thereof, to the Trustees, or to any persons or person whom they may appoint to receive such notice on their behalf.

11. The Vice-Principal of the Hall, in the Principal's absence, may act in his place in all matters to which this Ordinance relates.

12. The meetings of the Trustees shall be held at Taunton, in the county of Somerset, or at such other place in either of the counties of Somerset and Devon as the Trustees shall at any time determine.

13. Three of the Trustees shall be a quorum, and shall be competent to present candidates, appoint Scholars, and do any act which the Trustees are hereby authorized or directed to do, and to transact any business in relation to the Trust. It shall be lawful for the Trustees, if they shall think proper, to appoint from time to time a Committee of three or more out of their own number, and to authorize such three or more persons or any two of them to transact any business or do any act or acts to be specified or described in such authorization, other than the presentment of candidates, the appointment of Scholars, or the depriving Scholars of any part of their emoluments for non-residence.

14. The Trustees present at any meeting shall, before proceeding to business, elect a chairman to preside at such meeting, and any question which may arise at any such meeting shall be determined by the majority of the votes of the Trustees then present; and in case of equality the chairman shall have a casting vote in addition to his vote as a Trustee.

15. The provisions of this Ordinance shall apply to the present Scholars of the Foundation, except that every present Scholar shall be entitled (subject to the power of deprivation in case of the removal of his name from the books of the Hall as aforesaid) to hold his Scholarship until the expiration of six years from the twenty-ninth day of September next ensuing the date of his appointment, and to receive such emoluments (and no more) in respect thereof as he would have been entitled to if this Ordinance had not been made.

16. The directions and regulations of the Scheme for the continuance and future administration of the said Foundation, and the application of the surplus funds thereof, approved by one of the Masters of the Court of Chancery, and which by certain orders made in a Cause of "the Attorney-General *versus* the Earl of Carnarvon and others" was confirmed and directed to be carried into effect, and the variations of and

additions to the same Scheme made by an order in the said Cause dated the Twenty-fourth day of July one thousand eight hundred and forty, shall be henceforth void.

17. This Ordinance shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal this Sixteenth day of April 1858.

L. S.

ORDINANCE

CONCERNING

MAGDALEN HALL.

ORDINANCE

CONCERNING

MAGDALEN HALL.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to "make further Provision for the good Government and Ex- "tension of the University of Oxford, of the Colleges therein, "and of the College of St. Mary Winchester," hereby ordain as follows in relation to the Scholarships or Exhibitions of the foundations of Dr. Thomas White, clerk, Dr. Brunsell, clerk, John Meeke, clerk, and William Lucy, clerk, within Saint Mary Magdalene Hall, in the said University.

All the aforesaid Scholarships or Exhibitions shall respectively be tenable by future Scholars or Exhibitioners for three years and no longer. Any Scholar or Exhibitioner who shall cease to be a member of the Hall shall thereupon vacate his Scholarship or Exhibition. Any Scholar or Exhibitioner may be deprived of his Scholarship or Exhibition by the Principal for such misconduct or neglect of study as shall in the judgment of the Principal merit deprivation. In appointments to any Scholarship or Exhibition, no person shall be entitled to preference in respect of his having been educated at any school named in any instrument of foundation, unless he shall have

been educated at such school for two years at least last preceding the appointment, or last preceding his matriculation in the University.

The annual proceeds of the bequest left by the said Dr. Thomas White to be divided among five Commoners of the Hall shall be applied to the maintenance of one Exhibitioner, who shall be called Dr. White's Exhibitioner.

The three Exhibitions of the foundation of Dr. Brunsell shall be consolidated into one Exhibition, which shall be called Dr. Brunsell's Exhibition.

Dr. White's and Dr. Brunsell's Exhibitioners shall be appointed by the Principal, and shall be persons whom he shall have ascertained to be in need of assistance to support them at the University.

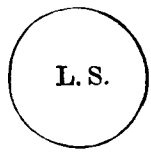
The ten Scholarships of the foundation of John Meeke shall be consolidated into four Scholarships, which shall be called Meeke's Scholarships. The Principal shall give at least thirty days' notice to the Head Master of the Free Grammar School of Worcester of every intended appointment to any of the said Scholarships. The candidates shall be examined by such persons and in such manner as the Principal shall determine, and the Principal shall appoint to the vacant Scholarship that person who after such examination shall appear to him to be of the greatest merit and fitness. Whenever there shall be no candidate entitled to preference in respect of his having been educated at the said school, and who, in the judgment of the Principal, shall be of sufficient merit, it shall be lawful for the Principal to throw the Scholarship open for that turn to general competition.

The emoluments of the Scholarships of the foundation of William Lucy shall be applied to the maintenance of two Exhibitioners, who shall be called Lucy's Exhibitioners. Whenever there shall be no person who by virtue of the instrument of foundation of the said Scholarships (which shall be deemed to extend and apply to the said two Exhibitions) shall be entitled to be admitted to a vacant Exhibition, and who in the judgment of the Principal shall be of sufficient merit, it shall be lawful for the Principal to throw open the Exhibition for that turn to general competition.

The consolidations or conversions of emoluments hereby

directed shall take effect subject to and after the determination of the interests of present Scholars and Exhibitioners.

Given under our Common Seal this Fifteenth day of April 1858.



APPENDIX.

ACT OF PARLIAMENT

AND

ORDINANCE

CONCERNING

ST. JOHN'S COLLEGE.

1. Act of Parliament for referring an Ordinance of the Commissioners to a Committee of the Privy Council 489

2. Ordinance, framed by the Commissioners, and amended by a Committee of the Privy Council 493

APPENDIX.

ANNO VICESIMO TERTIO VICTORIÆ REGINÆ.

CAP. XXIII.—*An Act to provide for the Consideration of an Ordinance which has been laid before Parliament in a Report of the* Oxford *University Commissioners.* [*25th May* 1860.]

WHEREAS by an Act passed in the Session holden in the seventeenth and eighteenth years of Her Majesty, chapter eighty-one, to make further Provision for the good Government and Extension of the University of *Oxford*, of the Colleges therein, and of the College of *Saint Mary Winchester*, it was provided, that if the Powers therein-before granted to Colleges should in the case of any College not be exercised, and no Ordinance or Regulation for effecting the objects of such Powers should be submitted by such College to the Commissioners appointed for the purposes of the said Act, and approved of by them, before the First day of *Michaelmas* Term One thousand eight hundred and fifty-five, it should be lawful for the Commissioners to frame such Ordinances and Regulations as should appear to them to be necessary or expedient for the purpose of effecting or promoting the objects which the College was therein-before empowered to effect or promote, and such Ordinances and Regulations, if sanctioned and confirmed as therein-after re- 17 & 18 Vict. c. 81.

quired, should take effect as Statutes of such College; provided that such Ordinances and Regulations, when properly settled by the Commissioners, should be laid before the College to which the same related, and the Visitor thereof, two calendar months before the same were submitted to Her Majesty in Council, as therein-after directed; and if within the said period of two calendar months two thirds of the governing body of the said College should, by writing under their hand and seal, declare that in their opinion such Ordinances and Regulations would be prejudicial to the said College as a place of learning and education, then the same should not take effect, but it should be lawful for the Commissioners to frame and submit other Rules and Regulations for the like purpose to the said College, and so on as often as occasion should require; and by the said Act it was provided that all Ordinances and Regulations framed by the Commissioners, and objected to by two thirds of the governing body or bodies of the College, School or Schools, to which the same respectively related, should, in all cases where new Ordinances and Regulations should not have been substituted, under the provisions of the said Act, for such as should have been so objected to, be embodied in a Report to be transmitted forthwith to one of Her Majesty's principal Secretaries of State, and laid before the two Houses of Parliament: And whereas the said Commissioners, in the Appendix to their Report to the Secretary of State bearing date the Tenth day of *June* One thousand eight hundred and fifty-eight, which has been laid before both Houses of Parliament, have set forth an Ordinance framed by them for the purposes of the said Act in relation to the College of *Saint John the Baptist* in the said University, and the said Commissioners have reported that two thirds of the governing body of such College have declared by writing under their Hand and Seal, that in their opinion the said Ordinance would be prejudicial to the said College as a place of learning and education: And whereas, the powers of the said Commissioners having expired, no further proceeding can be had on the said Ordinance, or for giving effect to the purposes of the Act in relation to the said College: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords spiritual and

17 & 18 Vict. c. 81.

Appendix to Report, dated 10th June 1858.

temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to Her Majesty to refer the said Ordinance and Declaration to a Committee of Privy Council.

I. It shall be lawful for Her Majesty, by Order in Council, to be made within six months after the passing of this Act, to refer the said Ordinance and Declaration set forth in the Appendix to the said Report for the consideration and advice of a Committee of Five Members of Her Privy Council, to be named in such order, and of whom two, not including the Lord President, shall be members of the Judicial Committee.

Power to Parties interested to petition Her Majesty in relation to the Ordinance.

II. It shall be lawful for the said College and for the governing body of every or any school or place of education affected by the said Ordinance, and for every or any corporation or person who would have been authorized to petition Her Majesty in Council against the approbation of the said Ordinance, in case the same had not been objected to by two thirds of the governing body of the College, and had been laid before Her Majesty in Council under the said recited Act, to petition, within two calendar months after the passing of this Act, Her Majesty in Council for the approbation of the said Ordinance or of any part thereof, or for the substitution of other Regulations (which may be set forth or referred to by any such Petition) for giving effect to the purposes of the said Act in relation to the said College for any or all of the Regulations of the said Ordinance, or for any other modification of such Ordinance, or for the rejection thereof; and every such Petition shall be referred to the Committee to whom the said Ordinance is referred.

The Committee to consider the Ordinance and the Objections, and report to Her Majesty.

III. The Committee to whom the said Ordinance is referred shall consider the same, and the Report of the said Commissioners, and the objections of the governing members of the said College in relation thereto, and also any Petition which may be referred to them as aforesaid, and may admit the said College and any petitioner or petitioners to be heard by Counsel in support of the objections or of the petitions aforesaid; and such Committee, or the major part thereof, shall report to Her Majesty their opinion in relation to such Ordinance, and whether the same should be approved, with or without modifications, or should be rejected, or whether any other Regulations should be substituted for the Regulations of the said Ordinance; provided that no meeting of the said

Committee shall be held before the expiration of two calendar months after the passing of this Act, and twenty-one days' previous notice of the first of such meetings shall be published in the *London Gazette*.

Ordinance to be laid before Parliament, and if approved by Her Majesty to be a Statute of the College.

IV. In case such Committee or the major part thereof shall report to Her Majesty their opinion that such Ordinance should be approved, with or without modifications, or that any other Regulations should be substituted for the Regulations of the said Ordinance, the said Ordinance or amended Ordinance shall be forthwith laid before both Houses of Parliament, if Parliament be sitting, or if not, then within three weeks after the commencement of the next ensuing Session of Parliament; and, unless an Address be within forty days presented by one or other of the said Houses, praying Her Majesty to withhold Her consent from such Ordinance or amended Ordinance, or any part thereof, it shall be lawful for Her Majesty by Order in Council to declare Her approbation of the said Ordinance or amended Ordinance, and such Ordinance or amended Ordinance shall thereupon become a Statute of the said College, but such Statute shall be without prejudice to any existing interest of any member of such College.

ORDINANCE

CONCERNING

ST. JOHN'S COLLEGE.

Framed by the Commissioners, and considered and amended by a Committee of Her Majesty's Privy Council.

1. In lieu of the fifty places of the foundation of Sir Thomas White within the College, heretofore held by perpetual Fellows or by Scholars on three years' probation, the said foundation shall hereafter consist of eighteen open Fellowships, tenable for life, five open Scholarships, and twenty-eight appropriated Scholarships, the conversion being gradually effected in manner herein-after mentioned.

2. No candidate for any Fellowship within the College shall be either entitled to preference or ineligible for any of the following reasons:—

a. By reason of his having or not having been educated at any particular school;

b. By reason of his being or not being, or having or not having been, a Scholar of the College;

c. By reason of his being or not being of the blood

or kindred of Sir Thomas White, the Founder of the College;

d. By reason of the pecuniary circumstances of himself or his parents (except as herein-after provided in that behalf);

And no candidate shall be ineligible by reason of his being of illegitimate birth, or of his being of any particular age mentioned in the existing Statutes: Provided that no person shall be eligible to any Fellowship, who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be married or possessed of any benefice, property, pension, or office, which, if acquired after election, would have disqualified him for continuing a Fellow.

3. No candidate for any Scholarship within the College shall be either entitled to preference or ineligible by reason of his being or not being of the blood or kindred of the said Sir Thomas White, or be entitled to preference by reason of his being a Chorister of the College; and no candidate shall be ineligible by reason of his place of birth or place of residence or education (except as herein-after provided), or by reason of his being of illegitimate birth, or by reason of his having, or of his parents having, any specific amount of property mentioned in the existing Statutes. No person who shall not have attained the age of twenty years shall be ineligible by reason of his age for any open Scholarship, or any Coventry, Bristol, Reading, or Tunbridge Scholarship.

4. Of the said twenty-eight appropriated Scholarships, twenty-one shall be appropriated to Merchant Taylors' School, two to the School of Coventry, two to the School of Bristol, two to the School of Reading, and one to the School of Tunbridge, which Scholarships are herein called the Merchant Taylors', Coventry, Bristol, Reading, and Tunbridge Scholarships respectively. In elections to the five open Scholarships no person shall be either entitled to preference or ineligible by reason of his having been educated at any particular school, but no person shall be eligible who shall have attained the age of twenty years.

5. The Merchant Taylors' Scholarships shall be tenable

for seven years, and the Coventry, Bristol, Reading, and Tunbridge Scholarships for five years, subject in every case to the Scholar's obtaining such certificates as herein-after mentioned. The open Scholarships shall be likewise tenable for five years, subject to the same condition. Every Scholar who shall marry, or shall be elected to a Fellowship in the College, or to a Fellowship or Scholarship in any other College, shall thereupon vacate his Scholarship. After the establishment of the five open Scholarships, any open Scholarship which shall from any cause whatever be vacated before the expiration of the term for which it was tenable, shall be filled up in the same manner in which an appropriated Scholarship thrown open to general competition is herein-after directed to be filled up, and shall be held by the person elected for the remainder of the said term and no longer. In such an election no candidate shall be ineligible or entitled to preference by reason of his age.

6. Every Scholar, whether holding an open or an appropriated Scholarship, shall, in the eighth and also in the twelfth Term from his admission, be required to obtain from the President, and from not fewer than one half in number of the Deans of Arts, Tutors, and Lecturers of the College, or from such other officers of the College as the President and Fellows may from time to time determine, a certificate of satisfactory industry, proficiency, and good conduct; and, if he shall in either of those Terms fail to obtain such certificate, shall vacate his Scholarship on the first day of June then next ensuing. The President and Fellows may from time to time change the Terms in which such certificates are to be obtained, regard being had to the times of examinations instituted by the University.

7. The term of seven or five years (as the case may be), for which each appropriated Scholarship is to be tenable, shall always be deemed to expire on that stated day of election to Scholarships appropriated to the same School which shall fall nearest to the expiration of seven or five years from the day of the election of the Scholar; and in the case of any Scholarship, whether appropriated or open, the election to which may have been postponed as herein provided, such election shall be deemed for all purposes to have taken place as if

there had been no postponement, and the five years shall be reckoned accordingly.

8. The Merchant Taylors' Scholarships, when vacant, shall be filled up at Merchant Taylors' School, or such other convenient place as the President of the College and the Master of the Company of Merchant Taylors shall appoint, on the eleventh day of June in each year, or, in case that day shall be Sunday, on the day following, by the election of boys educated in the said School for the two years at least last preceding, and under the age of nineteen years; or in default of such candidates of sufficient merit, then by the election of boys under nineteen years of age educated for the same period at Christ's Hospital. The electors shall be the Master, Wardens, and Assistants of the Worshipful Company of Merchant Taylors, the President, or Vice-President of the College, and two Fellows of the College, to be annually appointed by the President and Fellows for that purpose. The candidates shall be examined in such subjects and in such manner as the electors shall appoint, and those candidates shall be elected who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be Scholars of the College: Provided that the concurrence of the said President or Vice-President and the said two Fellows, or of the major part of them, shall be requisite to every election. In default of candidates of sufficient merit from Christ's Hospital, the vacant Scholarship shall be thrown open for that turn to general competition, and the election shall be held by the President and Fellows in the manner provided by section 10 with reference to Coventry, Bristol, Reading, and Tunbridge Scholarships.

9. The Coventry, Bristol, Reading, and Tunbridge Scholarships shall, subject to the provisions for postponement herein contained, respectively be filled up from time to time on a stated day in each year, to be fixed by the President and Fellows for filling up vacancies in those Scholarships, by the election of a boy certified to have been educated in the School to which the Scholarship is appropriated for the two years at least last preceding the election, and to be of good conduct, and under twenty years of age; and the President of the College shall give sufficient notice to the Head Master of such

School for enabling candidates to proceed to the College for examination; and, if there be not time to give such notice before such stated day, the election shall be postponed to a future day, as soon thereafter as conveniently may be. The certificate shall be signed, in the case of Coventry and Bristol Schools, by the Head Master and Chairman of the governing body of the School; in the case of Reading School, by the Mayor of Reading, the Chairman of the Church Charity Trustees of Reading, and the Head Master, or any two of them; and in the case of Tunbridge School, by the Head Master; after the receipt, in each case, of the aforesaid notice by the Head Master. The candidates shall be examined at the College in such subjects and in such manner as the President and Fellows shall appoint; and that candidate shall be elected who, after such examination, shall appear to the President and Fellows to be of the greatest merit and most fit to be a Scholar of the College.

10. If there shall be no candidate for any vacant Coventry, Bristol, Reading, or Tunbridge Scholarship of sufficient merit for election, in the judgment of the President and Fellows, such Scholarship shall be thrown open for that turn to general competition, and the election thereto shall be held by the President and Fellows of the College, as soon as conveniently may be, and after public notice for a period of not less than thirty days. The candidates for the Scholarship so thrown open shall be examined in such subjects and in such manner as the President and Fellows shall appoint; and that candidate shall be elected who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College. No person shall be eligible who shall have attained the age of twenty years.

11. The election to open Scholarships shall take place on a stated day in each year, to be appointed by the President and Fellows, subject to the provision for postponement hereinafter contained; and notice of such intended election shall be given by the President, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election. The candidates shall be examined in such subjects and in such manner as the President and Fellows shall determine; and that candidate, not being in other respects disquali-

fied according to the provisions of the Statutes in force for the time being, shall be elected who, after such examination, shall appear to the President and Fellows to be of the greatest merit and most fit to be a Scholar of the College. The President and Fellows shall not be required to fill up more than one open Scholarship in any one year, except under the circumstances and to the extent mentioned in clause 5. The five years for which such Scholarships are tenable shall be deemed to expire on the stated day appointed for the election to open Scholarships which shall fall nearest to the expiration of five years from the day of the election of the Scholar.

12. The thirty-three Scholarships and eighteen Fellowships shall be established as quickly as the disposable funds arising from vacancies in the existing fifty places will permit, and at the relative rate of two Scholarships to one Fellowship, until the whole number of Scholarships shall be complete. Subject to the foregoing provision, the several appropriated Scholarships shall be established, as among the several Schools, in the order of priority in which the places heretofore assigned to the said Schools respectively shall become vacant; and the five open Scholarships shall be established as vacancies shall occur in the places heretofore held by the kin of the Founder, but so that the first election to an open Scholarship may be postponed (if the President and Fellows shall think fit) until it can be made sure that one open Scholarship shall always be vacant in every year.

13. If in any one year, either before or after the completion of the whole number of Merchant Taylors' Scholarships, there shall be more than three vacant Scholarships which under the provisions herein contained would in that year be filled up at Merchant Taylors' School, all or any of the vacancies above three may, if the President and Fellows and the Master, Wardens, and Assistants shall so jointly determine, be kept open until a future year, so as to preserve, as far as possible, a regular supply of vacancies in each year.

14. Of the eight present Monitors, or boys holding the highest eight places, in Merchant Taylors' School, such and

so many as, if this Ordinance had not been made, would have been eligible in the present year or in the year 1862 to places in the College may be elected and admitted thereto, notwithstanding this Ordinance, and as if it had not been made; and the place in the College belonging to Reading School, and now vacant, may likewise be filled up in the present year, as if this Ordinance had not been made; and the persons who may be so elected to such several places respectively shall be on the same footing in all respects, and have the same claim to be afterwards admitted to Fellowships, as the present Scholars on three years' probation; and the Scholarships and Fellowships to which they shall be so elected and admitted shall not be counted among the thirty-three Scholarships and eighteen Fellowships to be established by virtue of this Ordinance.

15. The emoluments of every Fellow hereafter to be elected shall be equal, and shall be made up, as quickly as the funds disposable for the purpose will admit, to Two hundred pounds per annum, exclusive of any remuneration or allowance for any office, or any allowance for actual residence, or any right or advantage in respect of rooms; and the emoluments of every Scholar shall also be equal, and shall be made up, as soon as the funds will admit, to One hundred pounds per annum, inclusive of all allowances; and such emoluments, whether amounting to more or less than the sums aforesaid, shall always be in the aforesaid proportion to each other.

16. As soon as the aforesaid eighteen Fellowships and thirty-three Scholarships shall have been established, and the emoluments of the Fellows and Scholars shall amount (one year with another) to the annual sums aforesaid, an annual sum (to be made up, as quickly as the means of the College will admit, to Six hundred pounds) shall become payable, and shall always thereafter be paid out of the corporate revenues of the College, to such purposes connected with the Professoriate of the University as the University by Statute, with the consent of the President and Fellows, shall from time to time determine: Provided that, unless and until such Statute be passed, the annual sum which would be so payable shall be

applied to the creation of additional open Scholarships, and no Scholar who shall be elected to any such Scholarship shall be deprived of his emoluments by reason of the passing of any such University Statute as aforesaid; but such Statute shall operate only on the stipend of such Scholarship as the same shall become vacant. This direction, and the charge hereby imposed on the revenues of the College, shall be subject and without prejudice to the right of every Fellow and Scholar to receive emoluments to the average amount aforesaid. No Fellow or Scholar hereafter to be elected shall be entitled to receive more than the aforesaid emoluments in respect of his Fellowship or Scholarship until the whole number of Fellowships and Scholarships shall have been completed, and the said sum of Six hundred pounds shall have been appropriated in manner herein-before mentioned; nor shall this Ordinance be construed to give to any such Fellow a claim as against the College to receive the full sum of Two hundred pounds, or any definite sum, in any one year. The present President and every existing Fellow and Scholar shall be entitled (notwithstanding this Ordinance) to receive the same emoluments as if this Ordinance had not been made, but no such Fellow or Scholar shall by virtue of this Ordinance be entitled to receive any larger emoluments in respect of his Fellowship or Scholarship: Provided that it shall be lawful for the President and Fellows to commute the whole or any part of the emoluments (other than such allowances as are receivable only during actual residence, and rights derivable from the ownership of rooms) of each or any of the existing Fellows or Scholars, with the consent of such Fellow or Scholar, for an annual sum of fixed amount, or varying only according to such Fellow's or Scholar's degree or position in the College, or for an aliquot part of the fund out of which such emoluments, or such part of such emoluments, are respectively payable, for an aliquot part of any other fund, which for the sake of simplifying accounts it may be deemed expedient to substitute; so that the sum or aliquot part allotted to any position in the College or degree shall not exceed the amount or aliquot part which, on an average taken on the last fourteen years, shall have been received by Fellows or Scholars of the same degree or position in the College.

17. The Fellows of the College hereafter to be elected shall be subject, as regards qualification for election and otherwise, to the existing Statutes of the College relating to Fellows, and the Scholars to the existing Statutes relating to persons admitted to three years of probation, so far as the same are consistent with the provisions of this Ordinance concerning Fellows and Scholars respectively.

18. This Ordinance shall be without prejudice to the claim of every present Scholar on three years of probation to be admitted an actual Fellow of the College; and every such Scholar, if admitted a Fellow, shall stand on the same footing as if he had been in possession of his Fellowship at the time when this Ordinance shall take effect; and in the construction of this Ordinance the words "existing Fellow" shall include such persons, and the words "Fellow hereafter to be elected" shall not include such persons.

19. No person shall be incapable of being elected President of the College by reason of his not being or not having been a Fellow thereof or a Canon or Student of Christ Church. The electors shall choose the person (not being otherwise disqualified according to the Statutes of the College in force for the time being) who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education.

20. The President shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided that in case of the President's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the President's residence for such a period as may seem to the Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the President.

21. The President and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Presidentship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take

effect; and may also from time to time regulate, increase, or diminish the President's emoluments, whether commuted or uncommuted, as they shall think proper: Provided that no exercise of this power shall affect the person then being President without his consent: Provided also that this power shall be exercised at stated general meetings only, and that the Visitor, upon the petition of the President, or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit. Any advowson or right of presentation to any ecclesiastical benefice held by the College, or any trust for the benefit of the President for the time being, or his nominee or nominees, shall, if such benefice shall be included in such commutation, be thenceforth held by the College discharged from the trust.

22. If at any time it shall appear that the President has become permanently incapable of performing the duties of his office, the Vice-President shall, upon the request of any three or more Fellows, convene a meeting of the whole body of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the President (as the case may be), it shall appear to the satisfaction of the Visitor that the President has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Vice-President, shall be presented to him, to be Pro-President of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one third) of the President's emoluments as the Visitor shall think fit; provided that the President shall be at liberty to retain his lodgings. And such Pro-President shall, so long as the President shall retain his office, and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the

powers and authorities of President, except the power of consenting to any commutation, regulation, or diminution of the President's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes, and in the same manner. If any Pro-President shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-President in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the President's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments. These provisions shall take effect in lieu of the provisions of the existing Statutes relating to the President's incapacity.

23. The election of Fellows shall be vested in the President and the Fellows present at the time of election, and that candidate shall be deemed elected for whom the greatest number of votes shall have been given.

24. The election of Fellows shall take place on a stated day or stated days in each year, to be appointed by the President and Fellows; and thirty days at least before every day of election notice of every intended election, of the number of vacancies to be filled up, and of the conditions of election, shall be given by the President in such manner as he shall deem best adapted to secure publicity.

25. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the President and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the President and Fellows shall elect that candidate, being not in other respects disqualified according to the Statutes in force for the time being, who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education. The President and Fellows may, if they shall think fit, appoint a Board or Committee to

conduct the examination, and to determine the relative merits of the candidates as shown by the examination.

26. Every person hereafter elected to a Fellowship shall, before being admitted an actual Fellow, undergo probation for one year from the day of his election inclusive, and no longer; and at the end of such year shall be admitted to an actual Fellowship, if found fit to be a Fellow of the College in the judgment of the President and Fellows. Every person admitted to such probation shall be entitled to receive, during the year of probation, the same emoluments as if he had been admitted an actual Fellow.

27. The rank, privileges, and advantages which every person hereafter to be elected to a Fellowship shall hold and enjoy in the College shall (except so far as is otherwise herein-after provided) be determined according to the date of his admission to such Fellowship.

28. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any government pension, or be admitted to any office tenable for life or during good behaviour, (not being an academical office within the University of Oxford,) and who shall retain such benefice, property, pension, or office, for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls,) clear of deductions (except for property or income tax,) shall exceed Three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources, (including or not including a benefice with cure of souls,) clear of deductions as aforesaid, shall exceed Five hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months; and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall in this clause include

any estate or interest in possession in any property real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property, or any of such sources of income, shall have been acquired, shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

29. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and although they may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

(*a.*) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the President and all the Fellows shall have been given, the President's vote being counted as two votes.

(*b.*) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma, or by decree of Convocation, or any honorary degree; provided that two thirds of the votes of the President and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid, the President's vote being counted as two votes.

30. The election in such excepted cases shall always be held more than thirty days before the usual day of election; and the electors may, at the time of election, determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided

that such rank shall confer no other than honorary privileges; provided also that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

31. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office, which would in ordinary cases disqualify him for continuing a Fellow, may nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the President and all the Fellows, or, if he shall be Principal of any Hall (not being a private Hall), by two thirds of the votes of the President and all the Fellows, the President's vote being in each case counted as two votes; provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

32. Any Fellow elected under clause 29, or retained under clause 31, shall (except in the case herein-after mentioned) be deemed entitled thereafter to hold his Fellowship, although he may afterwards marry or become possessed of any property, pension, or office, or of any benefice (not being a benefice in the gift of the College,) the possession of which would, in ordinary cases, be incompatible with the retention of a Fellowship.

33. Any person elected under clause 29, or retained under clause 31, and being a Professor or Public Lecturer within the University, who, at the time of his election or retention, shall hold a benefice with cure of souls, and who shall continue to hold such benefice for six calendar months afterwards, shall thereby vacate his Fellowship; and no person elected or retained under either of the said clauses shall, by virtue thereof, be enabled to hold with his Fellowship any benefice in the gift of the College, the possession of which would, in ordinary cases, be incompatible with the retention of a Fellowship. Every Professor, Public Lecturer, or Principal of a Hall, elected or retained under either of the said clauses, who shall cease to hold such Professorship, Public Lecturership, or Principalship, and every Professor or Public Lecturer elected or retained as aforesaid, who shall be instituted to

any benefice with cure of souls, shall thereby vacate his Fellowship.

34. It shall be lawful for the President and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the President and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the President and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

35. No Fellow or Scholar shall, by reason of anything contained in the existing Statutes, be liable on ceasing to be a member of the College to refund any emoluments previously received by him; but every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University, or shall marry, shall thereupon vacate his Fellowship.

36. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University, contained in the existing Statutes, shall be henceforth void. The President and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which, and the conditions under which, leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and, in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the President

and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes, which shall be binding on the members of the College.

37. The Fellowships shall always be considered as divided into two classes, called respectively Clerical Fellowships and Lay Fellowships. One third of the whole number of Fellows for the time being may always be holders of Lay Fellowships. No holder of a Lay Fellowship shall be required to take Holy Orders as a condition of retaining his Fellowship. No person shall be eligible to a Clerical Fellowship who shall not be a Priest or Deacon of the United Church of England and Ireland, or have declared that he intends to take Holy Orders in the said Church. Every person who shall have made such declaration shall be required to take Deacon's Orders at the least within one year after the time at which he shall be of sufficient standing to take the degree of Master of Arts by the Statutes of the University, and shall have reached the canonical age; and, if at the expiration of the year he shall have failed to take Orders, he shall, except in case of unsoundness of mind, vacate his Fellowship: Provided that it shall be lawful for the President and Fellows, in case of sickness, or for any other very urgent cause, to grant a delay for a period not exceeding one year. If any holder of a Lay Fellowship shall take Holy Orders, his Fellowship shall be deemed a Clerical Fellowship, and the holder of a Clerical Fellowship not in Holy Orders may thereupon, with the permission of the President and Fellows, enter the class of Lay Fellows.

38. Every holder of a Clerical Fellowship shall be required to take the degrees of Master of Arts and Bachelor of Divinity within one year after the time at which he shall be of sufficient standing to take those degrees respectively by the Statutes of the University; and every holder of a Lay Fellowship shall be required to take either the degree of Master of Arts, or the degrees of Bachelor and Doctor of Civil Law, or those of Bachelor and Doctor of Medicine, within one year after the time at which he shall be of sufficient standing to take those degrees respectively by the Statutes of the University. Any Fellow failing to comply with the foregoing provisions shall vacate his Fellowship: Provided that the President and Fellows may, whenever they shall deem it just

on special grounds to do so, allow the taking of any such degree to be postponed for a period not exceeding, except in cases of unsoundness of mind, one year. These provisions shall take effect in lieu of the provisions contained in the existing Statutes respecting the faculties of the members of the College, and the time and conditions of taking degrees in the said faculties.

39. The President and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which may have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require, for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than Three hundred pounds a year, (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances,) to direct either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number of the open Scholarships, or the number or emoluments of the Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the President and Fellows, with the approbation of the Visitor, shall determine.

40. The President and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves or otherwise disposing of the clear surplus of the corporate revenues of the College; as they might have done if the Statutes had contained no such clause or provision. But nothing herein contained shall render compulsory the division or other disposal of any part of any fund hitherto reserved for meeting repairs and other College expenses and liabilities, or to prohibit the reservation of such part as may be deemed prudent or expedient.

41. The power of depriving the President for such causes

as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him after due inquiry upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the President and the whole body of the Fellows, and shall be exercised by the vote of the major part of the President and all the Fellows, subject only to such appeal to the Visitor as is herein-after provided; and the President and Fellows may deprive any Scholar of his Scholarship for any misconduct which in their judgment shall merit deprivation: Provided that this clause shall not affect the Visitor's power (if any) of depriving, by his own authority, any member of the College.

42. Whenever there shall be no duly qualified candidate for a Fellowship whom the electors shall judge of sufficient merit for election, and whenever a Fellowship shall fall vacant, and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to some other day, to be fixed by the President and Fellows for the purpose, not later than the next ensuing stated day of election to Fellowships; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

43. Whenever there shall be no candidate for a vacant open Scholarship, or for an appropriated Scholarship, which shall have been thrown open under the foregoing provisions, whom the electors shall judge of sufficient merit for election, and whenever an open Scholarship shall fall vacant, and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to some other day, to be fixed by the President and Fellows for the purpose, not later than the next ensuing stated day of election to open Scholarships; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

44. The President and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the

officers of the College, and the mode of their appointment or election, and may institute such new and suppress such existing offices as they shall deem it expedient to institute or suppress, with a view to the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the President and Fellows shall think proper, and may, if they shall think fit, nominate and appoint from time to time a Committee for the management of the estates and other property of the College, and may make rules and regulations for such Committee, and allot stipends to the members of the same: Provided that the powers given by this section, so far as they relate to the institution of new and the suppression of existing offices, and the first appointment of a Committee of Management, and the assigning stipends to the same, shall not be exercised except at a stated general meeting: Provided also that it shall be lawful for the Visitor, upon the petition of the President, or of any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided further, that the Presidentship shall not be deemed an office within the meaning of this clause.

45. The President and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the President and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

46. In case the President or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United

Church of England and Ireland, as by law established, such contumacious ceasing to conform shall be a cause for depriving the President of his Presidentship, and any such Fellow of his Fellowship.

47. The oaths prescribed by the existing Statutes shall not hereafter be taken. But every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall, at the time of his election or admission, make a declaration, to the effect that he will faithfully perform the duties of such place or office, and obey the Statutes and Bye-laws of the College in force for the time being, so far as they may concern him; and the electors to any place or office, before electing to which an oath is now required, (not being an annual office,) shall, before electing, make a declaration, to the effect that they will elect the person best qualified in their judgment for such place or office.

48. The President and all actual Fellows of the College, being Graduates of the full age of twenty-one years, shall henceforth be the Governing Body of the College; and all the powers which by the existing Statutes are vested in the President and ten senior Fellows alone, or jointly with any of the officers of the College, shall (subject to, and so far as the same are consistent with, the provisions of this Ordinance) be vested in the President and all such Graduate Fellows present at any College meeting. There shall be two stated general meetings at least of the President and the whole body of the Fellows in every year, on such days as the President and Fellows shall from time to time appoint. Any stated general meeting may be adjourned, by resolution of the meeting, to a day to be specified in the resolution. The vote of the President shall be counted as two votes at all College meetings, and in all elections except the election to Scholarships at Merchant Taylors' School; and whenever the votes shall be equal he shall have an additional casting vote. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the President and Fellows, or the consent of the President, is hereby made requisite, every question arising at any meeting shall be determined by a majority of the votes of those present. The seal of the

College shall not be affixed to any act or document except in the presence of the President (or in his absence the Vice-President), one of the Bursars, and at least one other Fellow, being a member of the Governing Body. All the Fellows, being Graduates and of full age, without distinction of faculty or standing in the College, shall be entitled to be present and vote at every College meeting. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided that the President and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

49. The power which is given by the existing Statutes to the Vice-President to act in the place of the President, and the power of any officer of the College who may hereafter be authorized by any Statute or Bye-law to act in place of the President, shall be deemed to extend to all the acts which the President is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the President's emoluments.

50. The particular provisions of the existing Statutes respecting the presentation of the President at the time of his election to the Dean and Chapter of Christ Church, or to the Chancellor or Vice-Chancellor of the University of Oxford, and his taking an oath before the said Dean and Chapter, Chancellor, or Vice-Chancellor, or any one or more of them; and respecting the hours and subjects of study and instruction within the College, the disputations and other exercises to be performed by its members, and their attendance in the Schools and at the exercises of the University; and respecting sermons to be preached by members of the College; and respecting the devotions, dress, conversation, recreations, and other personal habits of the members of the College, and the conditions of their going beyond the precincts thereof; and respecting

the meals of the members of the College, and the mode of serving and conducting the same; and respecting the inquiries to be made into the life and conduct of the members of the College, and the mode of making the same; and respecting the punishments for offences not being such as require deprivation; and respecting the treatment and support of Fellows and Scholars in case of sickness or infirmity; and respecting the distribution of rooms, and the use of the common hall and other common rooms or buildings of the College; and respecting the use of the library; and respecting the times of opening and closing the gates and doors of the College; and respecting the admission of strangers into the precincts of the College; and respecting the admission of Commoners; and respecting the reading of the Statutes; and respecting the service of the College, and the number, duties, and payment of the servants of the same; and respecting progresses and other matters relative to the supervision of the property of the College; and respecting the custody and inspection of the moneys, plate, and other goods of the College, other than the muniments and seals, shall be void. The President and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions, or any of them, are respectively intended to effect, and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby as is herein-after provided.

51. The President and Fellows may, if they shall deem it expedient, suppress the office usually known as that of Bible Clerk, by whatever name the same may be called in the existing Statutes; and may, in lieu of the existing Bible Clerkship or Bible Clerkships, create one or more Scholarship or Scholarships, to be tenable for five years, the election to which shall be made by the President and Fellows as vacancies occur, after examination in such subjects as to them may seem fit; and may annex to such Scholarship or Scholarships any sum or sums of money or endowment that may have been granted or bequeathed to the College for the support and maintenance of the Bible Clerk, or of any additional Bible Clerk; and any

Scholarship so created shall be called a "Holmes Scholarship."

52. No member of the College who may be charged with any offence shall, by reason of any provision in the existing Statutes, be prohibited or restrained from calling for a copy of the charges made against him, or for the name or names of the person or persons making such charges.

53. The power given by the existing Statutes to the President, ten senior Fellows, and officers, of making Statutes rules, or bye-laws, shall not hereafter be exercised. Bye-laws, binding on all the members of the College, not being repugnant to any of the Statutes of the College in force for the time being, may be made by the President and Fellows at stated general meetings, and such bye-laws may be enforced by pecuniary penalties.

54. If in any case it shall appear to the Visitor that, by reason of any change in the value of money, any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

55. It shall be lawful for the Visitor in person, or by his commissary or commissaries duly appointed, once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of general Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit, at other times, to require the President and Fellows to answer in writing touching

any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

56. As often as any question shall arise on which the President and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the President and Fellows, or for the President or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

57. It shall be lawful for the President, or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the President and Fellows, and for any Scholar who may have been deprived of his Scholarship, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence, as he shall deem just.

58. It shall be lawful for the Visitor, either *proprio motu*, or on the complaint of the President or any of the Fellows, to disallow and annul any bye-law or resolution of the President and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

59. The President and Fellows, by a majority consisting of not less than two thirds of the votes of those present, the vote of the President being counted as two votes, may from time to time, at any stated general meeting, amend the Statutes of the College, with the consent of the Visitor, and with the approval of Her Majesty in Council: Provided that, if any of the aforesaid Schools shall be affected by any proposed amendment, the President and Fellows shall give to the Governing Body of every School so affected such notice of their intention to apply for the approval of Her Majesty in Council as shall be sufficient to enable such Governing Body to petition Her Majesty in Council for the approval or rejection of such proposed amendment, or otherwise in relation thereto.

60. Wherever the words "the Fellows," or "the President

and Fellows," or "the President and all the Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows, being Graduates, and of the full age of twenty-one years. No Undergraduate Fellow shall, by virtue of this Ordinance, be entitled to any voice or power in amending Statutes or making regulations under this Ordinance, nor to any voice or power in the affairs of the College to which he would not be entitled under the existing Statutes.

Approved by Her Majesty in Council on the 26th day of June 1861.

INDEX.

INDEX.

N. B. The Acts of Parliament in the volume are not noticed here.

ALL SOULS COLLEGE:— PAGE

Appeals ... 256
Chaplains ... 253
Deprivation of the Warden or of Fellows ... 252
Elections, Postponement of ... 252
Fellowships: emoluments ... 251
excepted cases ... 247, 248
graduation ... 250, 251
number ... 250
probation ... 247
qualifications ... 246, 247
residence ... 249, 250
suppression of ten ... 257, 258
vacation of ... 247, 249, 250
Honorary Fellowships ... 249
Meetings, General ... 254
Officers ... 252
Professors, Chicheley's, of International Law and Diplomacy, and of Modern History ... 257–259
Revenues, Decennial Account of ... 251
Statutes: certain provisions made void ... 244, 249, 250, 253, 255
power to amend ... 257
Sub-Warden, Power of ... 254
Visitation ... 256
Wardenship ... 243, 246, 254

BALLIOL COLLEGE:—

Appeals ... 68
Blundell Fellowships: one suppressed ... 61
Scholarships ... 61–63
Chaplains ... 65
Deprivation of the Master or of Fellows ... 64
Elections, Postponement of ... 49, 64
Exhibitions: Newte's, Warner's, Greaves's ... 63, 64, 75, 77
Snell's ... 72, 75

PAGE

Fellowships: emoluments ... 56, 64
excepted cases ... 57, 58
number ... 60
qualifications ... 49, 55
vacation of ... 56, 59
Honorary Fellowships ... 59
Mastership ... 53, 54, 64, 66
Meetings, General ... 66
Officers ... 65
Residence of Fellows and Scholars ... 59
Revenues, Decennial Account of ... 60
Scholarships ... 50, 51, 61–63, 71
Statutes: certain provisions made void ... 49, 59, 65, 67
power to repeal or alter ... 69
Vice-Gerent, Power of ... 66
Visitation ... 68

BRASENOSE COLLEGE:—

Appeals ... 305, 306
Deprivation of the Principal or of Fellows ... 301
Elections, Postponement of ... 289, 301
Exhibitions ... 300, 301, 306
See also Hulme.
Fellowships: emoluments ... 293, 297–299
excepted cases ... 295, 296
Holy Orders ... 297
number ... 299
qualifications ... 287, 293
residence ... 296
suppression of five ... 288, 299
vacation of ... 294, 295, 296
Honorary Fellowships ... 296
Hulme, William, Exhibitions founded by ... 289, 310
Meetings, General ... 302
Officers ... 301
Principalship ... 290–292
Professoriate of the University, Annual payment towards ... 299
Revenues, Decennial Account of ... 300
Scholarships established by Ordinance ... 288, 290
founded by Sarah, Duchess of Somerset ... 307–309
Statutes: certain provisions made void ... 296, 302, 303, 304
power to amend ... 306
Vice-Principal, Power of ... 303, 307
Visitor, and Visitation ... 305, 306

Bristol School, Two Scholarships appropriated to ... 494–497

Channel Islands, Scholarships for natives of, or for persons educated at Victoria College in Jersey or at Elizabeth College in Guernsey ... 429

PAGE
Charterhouse School, Exhibitions for persons educated at 365, 440
Chicheley's Professors 257–259

CHRIST CHURCH :—
Appeals 363
Canonries, Suppression of two 351
Chaplaincies, Number of, may be reduced to four 363
Discipline 361
Elections, Postponement of 359, 362
Exhibitions, Lady Holford's, for persons educated at Charterhouse .. 365
Honorary Studentships 357
Lee's Readers in Anatomy and Chemistry 352, 355
Meetings, Decision of questions at 362
Servitors, Designation of, may be altered 363
Studentships, Junior: deprivation 362
duration of tenure 360
election to Open Studentships 359, 360
the Vernon Studentship 359, 360
Westminster Studentships 358
emoluments 352
number 351, 353, 361
vacation of 362
Studentships, Senior: Bye-laws binding on Senior Students 362
deprivation 358
electors 354
emoluments 352
graduation 357
number 351, 353, 361
one third to be Lay 354, 355
probation 355
qualifications 354
residence 357
vacation of 355, 356, 357
Visitor 363, 364
Wood, Bp.: his benefaction for Senior Masters 353

Christ's Hospital, Scholarships for boys educated at, in default of Candidates from Merchant Taylors' School 496
Cornwall, Scholarships for persons born, resident, or educated in 475
Coventry School, Two Scholarships appropriated to 494–497

CORPUS CHRISTI COLLEGE :—
The Titles of the several Chapters of the Statutes, given at page 311, prevent the necessity of details here.

Devonshire, Scholarships for persons born, resident, or educated in 475

Eton College, Scholarships for Scholars of 440

EXETER COLLEGE :—
Appeals 117, 119, 125
Chaplain Fellowship 103, 108, 109, 115

PAGE

Commoners ... 120, 121
Educational Council ... 113
Exhibitions: How, Gifford, Symes, Michell ... 118, 119
Fellowships: deprivation ... 110, 112, 124
emoluments ... 110, 122
number ... 103
qualifications ... 108
suppression of ten ... 121, 126
vacation of ... 111
Meetings, College ... 124
Officers ... 112
Rectorship ... 104–107
Revenues, Division of ... 121, 122
Scholarships: Open, Stapledon, King Charles the First's ... 103, 115–118
Statutes: former repealed ... 127
power to amend ... 126
Sub-Rector, Power of ... 113
Visitor ... 125, 126

Guernsey, Jersey: *see* Channel Islands.

JESUS COLLEGE:—

Appeals ... 405, 406
Deprivation of the Principal or of Fellows ... 401
Elections, Postponement of ... 401
Exhibitions for natives of Wales or Monmouthshire ... 400
Fellowships: emoluments ... 397, 401
excepted cases ... 393, 394, 395
four may be Lay ... 396
Jenkins, Sir Leoline, two founded by ... 390, 391, 396, 397
number ... 397
one moiety may be Welsh ... 391
qualifications ... 392
suppression of six ... 389, 390, 391
vacation of ... 392, 395, 396
Honorary Fellowships ... 395
Meetings, General ... 403
Officers ... 402
Principalship ... 387–389
Professoriate of the University, Annual payment towards ... 391
Residence of Fellows and Scholars ... 396
Revenues, Decennial Account of ... 397
Scholarships: King Charles the First's ... 389, 390, 399
Welsh ... 390, 398, 399
Statutes: certain provisions made void ... 306, 403, 404, 406
power to amend ... 406
Vice-Principal, Power of ... 404
Visitor, and Visitation ... 405

LINCOLN COLLEGE:— PAGE

Bibliotista ... 236
Bursarius: *vide* de Thesaurario.
Capitula magna ... 229, 230
Communarii sive Commensales ... 234
Congressus ordinarii ... 230
Rector: dignitas ejus et auctoritas ... 225, 226, 230, 234, 236, 237
emolumenta ... 231, 238
in pleno Termino resideat ... 228
modus eligendi Rectorem ... 225
qualis eligendus ... 222, 228
Scholares ... 235, 236
Socii: eorum emolumenta ... 231
modus eligendi Socium ... 222, 223
probationarii ... 223
quales eligendi ... 222, 223, 228
quibus de causis jus Collegii perdant ... 223, 224, 228
quot ... 222, 232
Vide etiam de Visitatore.
Statuta: anteriora abolita ... 235, 238
emendandi potestas ... 238
semel in anno legenda ... 229, 230
Subrectoris electio ... 229
officia ... 226, 227, 228
salarium ... 227, 233
Thesaurarii electio ... 229
officia ... 227, 228, 229
Tutores per Rectorem assumantur ... 234
in pleno Termino resideant ... 228
salaria eorum et feoda ... 234
Visitator: auctoritas ejus et potestas ... 222, 238
officia ... 224, 226
unum e duodecim Sociis nominet ... 223

MAGDALEN COLLEGE:—

Appeals ... 282
Clerks, Election and removal of ... 276
Demyships: emoluments ... 263
qualifications ... 275, 276
ten new to be established ... 263, 265
Deprivation of the President, Fellows, Demies, or Exhibitioners ... 276, 277
Elections, Postponement of ... 277
Exhibitions: twenty to be established ... 263, 267
qualifications for them ... 275, 276
Fellowships: emoluments ... 264, 271
number ... 274
one third Lay ... 273
probation ... 271
qualifications ... 269, 270

PAGE

Fellowships: rank and privileges, according to date of admission 271
suspension of ten 264, 267
vacation of 272, 273, 274
Honorary Fellowships 272
Meetings, General 279
Officers 278
Prælectorships to be abolished 263, 267
Presidentship 264, 267–269
Professorships, Waynflete, of Moral and Metaphysical Philosophy, of Chemistry, of Mineralogy, and of Physical Geography 263–267
Residence of Fellows and Demies 273
Revenues, Decennial Account of 274
Statutes: certain provisions made void .. 268, 269, 273, 278, 279, 280, 283
power to amend 282, 283
Vice-President, Power of 280
Visitor, and Visitation 277, 281, 282

MAGDALEN HALL:—

Exhibitions: White's, Brunsell's, Lucy's 484
Scholarships for persons educated at the Free Grammar School, Worcester 484

Merchant Taylors' School, Twenty-one Scholarships appropriated to 494, 496, 498

MERTON COLLEGE:—

Appeals 95
Elections, Postponement of 92
Exhibitions 90, 91
Fellowships: deprivation 92
emoluments 85, 89, 92
excepted cases 86
number 89, 99
one half to be Clerical 84, 99
qualifications 84, 85
residence 88
two may be suspended 88
vacation of 85, 87
Honorary Fellowships 87
Linacre Professorship of Physiology 88, 97, 98
Meetings, General 93, 94
Officers 92
Post-Masterships 90, 91
Revenues, Decennial Account of 90
Scholarships 90, 91
Statutes: certain provisions made void 87, 93, 96
power to repeal or alter 96
Sub-Warden, Power of 94
Visitation 95
Wardenship 81–83

Monmouthshire, Exhibitions for natives of 400

NEW COLLEGE :— PAGE

Appeals ... 200
Deprivation of the Warden or of Fellows ... 195
Elections, Postponement of ... 195
Exhibitions ... 202, 203
Fellowships : emoluments ... 186, 194
excepted cases ... 191, 192
number ... 183, 186, 193
open ... 184, 186
probation ... 190
qualifications ... 184, 186, 189
residence ... 192, 193
vacation of ... 190, 192
Winchester ... 183, 186
Honorary Fellowships ... 192
Meetings, General ... 197
Officers ... 196
Revenues, Decennial Account of ... 194
Savilian Professors, Annual payments to be made to ... 202
Scholarships ... 183, 184, 185, 187, 193, 195
Seal of the College, how to be affixed ... 197
Statutes : certain provisions made void ... 188, 196, 197, 198, 199
power to amend ... 200, 201
Sub-Warden, Power of ... 198
Visitation ... 199, 200
Wardenship ... 187–189, 195, 196

ORIEL COLLEGE :—

Appeals ... 146
Dean, Power of ... 144, 145
Elections, Postponement of ... 143
Exhibitions : Adam de Brome's, Bishop Robinson's ... 139, 141, 142
Fellowships : deprivation ... 142
emoluments ... 140, 142
excepted cases ... 134, 135
graduation ... 137
number ... 140
qualifications ... 133
residence ... 136, 137
suspension of two ... 138, 139
vacation of ... 133, 134, 136
Honorary Fellowships ... 136
Meetings, General ... 144
Officers ... 143
Provostship ... 131, 132
Regius Professor of Modern History to receive emoluments of one Fellowship ... 138, 139
Revenues, Decennial Account of ... 140
Scholarships ... 141, 142

PAGE

Statutes: certain provisions made void 137, 144, 145
power to amend 146, 147
Visitation 146, 147

PEMBROKE COLLEGE:—

Appeals 447
Common Fund for maintenance of Fellowships and Scholarships 430
Deprivation of the Master, Fellows, or Scholars 442, 443
Elections, Postponement of 441, 451
Fellowships: emoluments 430, 431
excepted cases 434, 435
how many must be held by persons in Holy Orders 436
number 431
qualifications 432, 433
residence 435
Sheppard 431
vacation of 431, 433, 435
Honorary Fellowships 435
Mastership 427–429
Meetings, General 444
Officers 443
Revenues, Decennial Account of 446
Scholarships: Incorporated; Abingdon, five at least 437
Bishop Morley's, one 439, 440, 442
King Charles the First's, two at least 429, 439, 442
open, five at least 436, 438, 442, 451
Unincorporated; Boulter and Radcliffe, two 438, 439, 442
Holford, one 440, 441, 442
Rous, one 440, 441, 442
Townsend 441, 448
Statutes: certain provisions made void 435, 443, 444, 445
power to repeal or alter 447
Vice-Gerent, Power of 445
Visitor, and Visitation 446, 447

Professoriate of the University, Annual payments towards 299, 391, 499
Professorships, Emoluments of, augmented:
Astronomy, Savilian 202
Experimental Philosophy 415
Geometry, Savilian 202
Modern History, Regius 138
Natural Philosophy, Sedleian 155
Professorships founded:
Chemistry, Waynflete 263–267
International Law and Diplomacy, Chicheley's 257–259
Latin 333
Mineralogy, Waynflete 263–267
Modern History, Chicheley's 257–259

PAGE

Moral and Metaphysical Philosophy, Waynflete .. 263-267
Physical Geography, Waynflete 263-267
Physiology, Linacre 88, 97-99

QUEEN'S COLLEGE :—

Appeals 172
Bible Clerkships 154, 155, 167
Bridgman, Sir Francis, Foundation of 153, 156, 173
Bursars 168
Bye-laws, Power to make 171
Chaplains 170
Commoners 167
Dean 169
Eglesfield, Robert de, Foundation of 152, 154, 161
Elections, Postponement of 168
Exhibitions: Eglesfield 154, 155, 166, 167, 168
Lady Elizabeth Hastings's 173-176
Abp. Grindall's, Holme's, Rigge's, Sandys's, Thistlethwaite's, Bp. Thomas's, Tylney's, Earl of Thanet's, Wilson's 177-180
Fellowships: deprivation 164, 165
emoluments 155, 156, 170
excepted cases 162, 163
graduation 164
nine to be Clerical 160
number 155, 165
probation 160
qualifications 159, 160
residence 164
vacation of 161, 163, 164
Honorary Fellowships 164
Hungerford, Lady Margaret, Foundation of 153, 173
Library 155
Meetings, General 171
Michel, John, Foundation of 152, 153, 154, 156, 162, 166, 173
Provostship 156-159
Revenues, Decennial Account of 170
Scholarships 154, 155, 156, 165, 166
Seal of the College, how to be affixed 171
Sedleian Professor of Natural Philosophy, Annual payment to 155
Statutes, Existing, made void 152, 173
Taberdars 156
Tutors 169
Visitor, and Visitation 156, 172

Reading School, Two Scholarships appropriated to 494-497

ST. JOHN'S COLLEGE :—

Appeals 516
Bible Clerk, Office of, may be suppressed 514

PAGE

Bristol School, Two Scholarships appropriated to 494–497
Christ's Hospital, Scholarships for boys educated at, in default of candidates from Merchant Taylors' School 496
Coventry School, Two Scholarships appropriated to 494–497
Deprivation of the President, Fellows, or Scholars 509, 510
Elections, Postponement of 510
Fellowships: emoluments 499, 500
excepted cases 505, 506
graduation 508
number 493
one third may be Lay 508
probation 504
qualifications 493, 501, 503
vacation of 504, 506, 507
Governing Body of the College 512
Honorary Fellowships 507
Meetings, General 512, 513
Merchant Taylors' School, Twenty-one Scholarships appropriated to 494, 496, 498
Officers 510, 511
Presidentship 501–503
Professoriate of the University, Annual payment towards 499
Reading School, Two Scholarships appropriated to 494–497
Residence of Fellows and Scholars 507
Revenues, Decennial Account of 509
Seal of the College, how to be affixed 512, 513
Scholarships: Five open, Twenty-eight appropriated to Merchant Taylors', Coventry, Bristol, Reading, and Tunbridge Schools 493–501, 510
"Holmes" Scholarships may be created 514, 515
Statutes: certain provisions made void 501, 507, 509, 511–515
power to amend 516
Tunbridge School, One Scholarship appropriated to 494–497
Vice-President, Power of 513
Visitor, and Visitation 515, 516

ST. MARY HALL:—

Scholarships for persons born, resident, or educated in Somersetshire, Devonshire, or Cornwall 475

Somersetshire, Scholarships for persons born, resident, or educated in.... 475

TRINITY COLLEGE:—

Appeals 383
Deprivation of the President, Fellows, Scholars, or Exhibitioners.. 378, 379
Elections, Postponement of 379
Exhibitions: Tylney's, Unton's 378
Fellowships: emoluments 377
excepted cases 373, 374
number 376

PAGE

Fellowships: qualifications ... 371, 372
seven Fellows to be in Holy Orders ... 376
vacation of ... 372, 374, 375, 376
Honorary Fellowships ... 375
Meetings, General ... 380, 381
Officers ... 379
Presidentship ... 369–371
Residence of Fellows and Scholars ... 375
Revenues, Decennial Account of ... 376
Scholarships ... 377, 378
Statutes: certain provisions made void ... 375, 377, 380, 381, 382
power to amend ... 384
Vice-President, Power of ... 381
Visitor, and Visitation ... 383

Tunbridge School, One Scholarship appropriated to ... 494–497

UNIVERSITY COLLEGE:—

Appeals ... 40, 42
Elections, Postponement of ... 39
Exhibitions: Freeston's, Gunsley's, Earl of Leicester's, Lodge's 39, 40, 45
Fellowships: deprivation ... 36
emoluments ... 32, 40, 42
excepted cases ... 33, 34
number ... 36
qualifications ... 27, 31, 36
vacation of ... 32, 35, 36
Honorary Fellowships ... 35
Mastership ... 30, 31
Meetings, General ... 40
Officers ... 40
Radcliffe's Travelling Fellowships ... 44
Residence of Fellows and Scholars ... 35
Revenues, Decennial Account of ... 37
Scholarships ... 37, 38
Statutes, Power to repeal or alter ... 42
Vice-Gerent, Power of ... 41

WADHAM COLLEGE:—

Appeals ... 423
Chaplaincy tenable with a Fellowship ... 419
Deprivation of the Warden, Fellows, Scholars, or Exhibitioners 418, 419
Elections, Postponement of ... 419
Exhibitions, Dr. Hody's ... 418
Experimental Philosophy, Reader in, to receive emoluments of one Fellowship ... 415
Fellowships: emoluments ... 416, 418
excepted cases ... 412, 413
number ... 416

PAGE

Fellowships: qualifications ... 411
vacation of ... 412, 414
Honorary Fellowships ... 414
Meetings, General ... 420
Officers ... 419
Residence of Fellows and Scholars ... 414
Revenues, Decennial Account of ... 416
Scholarships ... 417, 418
Statutes: certain provisions made void ... 414, 420, 421, 423
power to amend ... 423
Sub-Warden, Power of ... 421
Visitor, and Visitation ... 422, 423
Wardenship ... 409-411

Wales: *see* JESUS COLLEGE.
Waynflete Professorships ... 263-267

WINCHESTER COLLEGE:—
Appeals ... 214
Exhibitions to be established within the School of the College ... 207, 210
how terminable ... 209
qualifications ... 209
Fellowships: emoluments ... 211
number ... 210
qualifications ... 206
residence ... 207
suppression of four ... 207, 208, 210
Honorary Fellowships ... 207
Officers ... 211
Revenues, Decennial Account of, ... 210
Scholarships: deprivation ... 209
election to prospective vacancies may be discontinued ... 209
number to be increased by thirty ... 207, 210
qualifications ... 208
Seal of the College, how to be affixed ... 212
Statutes: certain provisions made void ... 205, 207, 211, 212
power to amend ... 214
Sub-Warden, Power of ... 212
Visitation ... 213, 214
Wardenship ... 204-209

Worcester, Scholarships for persons educated at the Free Grammar School of ... 484

WORCESTER COLLEGE:—
Appeals ... 471
Deprivation of the Provost or of Fellows ... 467
Elections, Postponement of ... 467
Exhibitions of Sir Thomas Cookes ... 457
Lady Holford's, and Dr. Thomas Kay's ... 465, 466

PAGE

Fellowships. Mrs. Sarah Eaton's, for sons of clergymen 459
emoluments 463, 466
excepted cases 460, 461
number 463
one third may be Lay 462
qualifications 458, 459
suppression of four 457
vacation of 459, 461, 462
Honorary Fellowships 462
Meetings, General 469
Officers 468
Provostship 455–457
Residence of Fellows and Scholars 462
Revenues, Decennial Account of 463
Scholarships of the foundations of Sir Thomas Cookes, Mrs. Sarah Eaton, and Dr. George Clarke 464, 465
Finney Scholarship for natives of Staffordshire .. 458, 464, 465
Statutes: certain provisions made void 462; 468, 469, 470
power to amend 471
Vice-Provost, Power of 469
Visitors, and Visitation 470, 471

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